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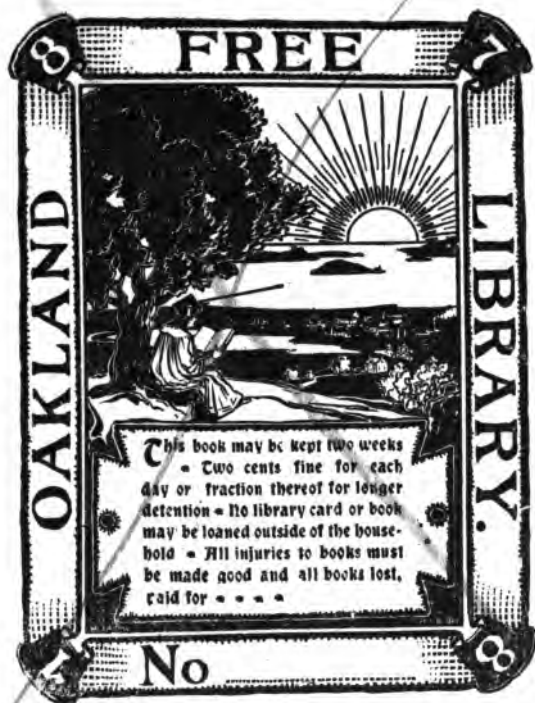
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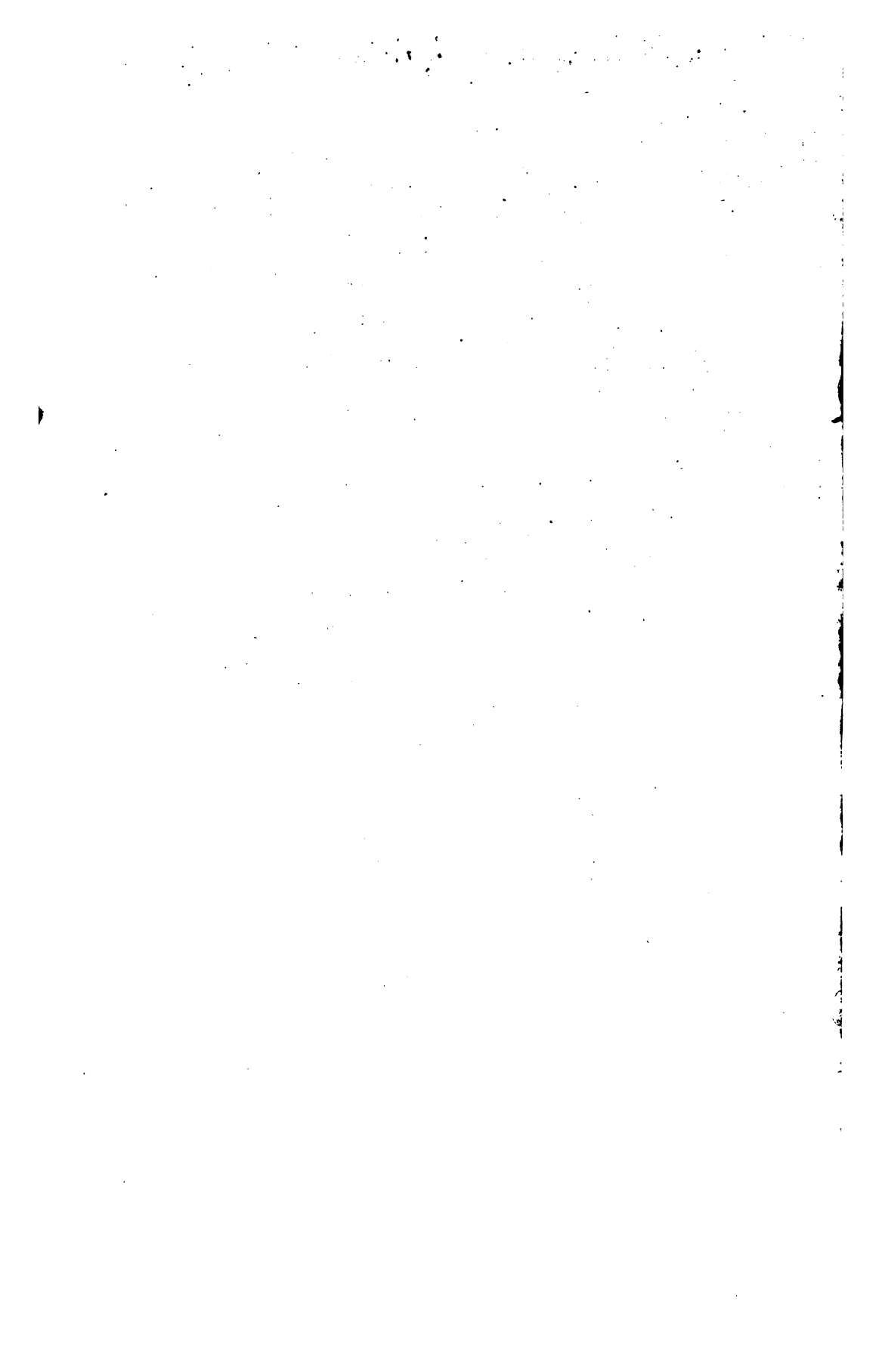
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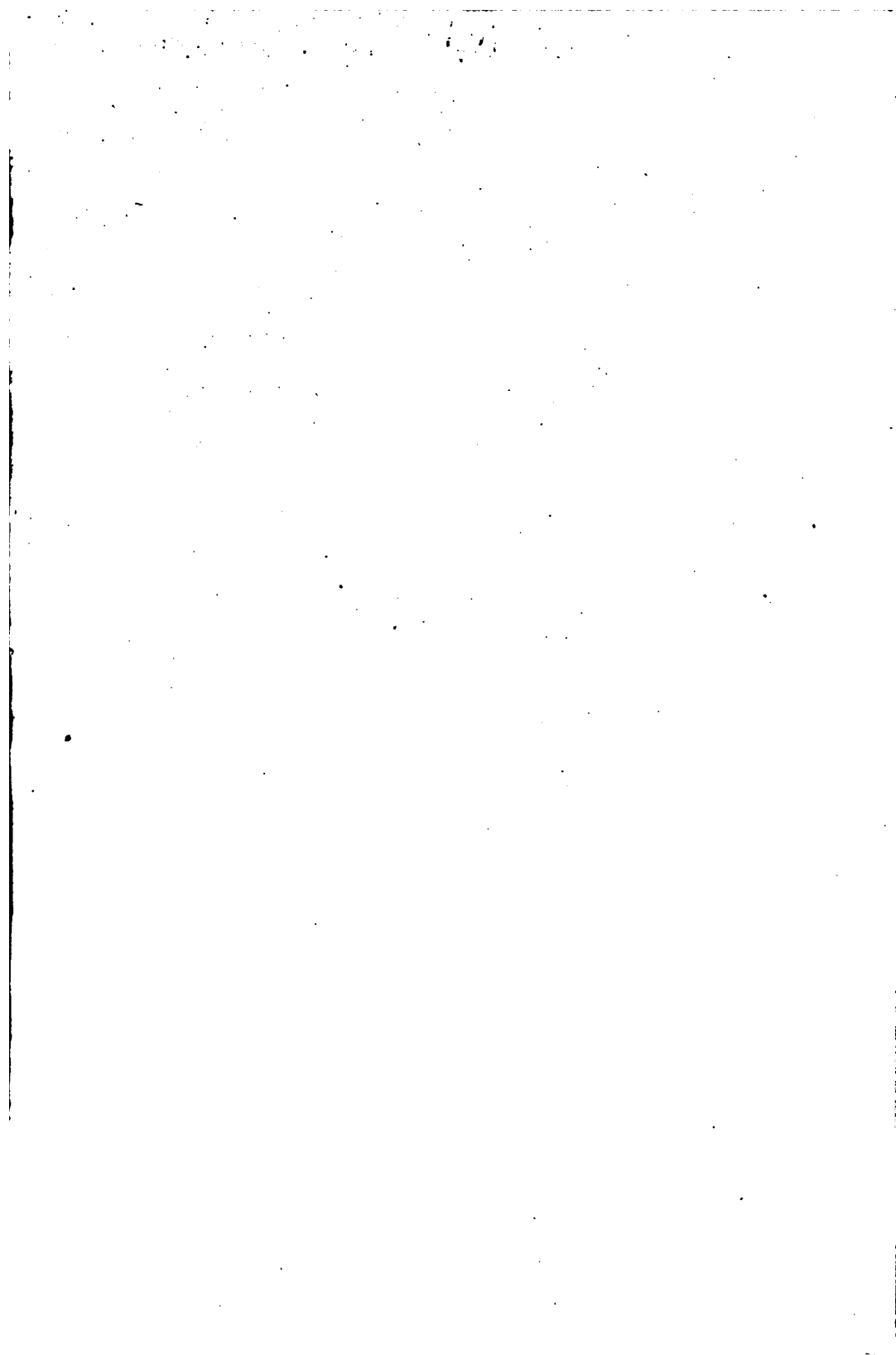
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# PROCEEDINGS

OF THE

## <sup>4th</sup> ~~Third~~ National Conference

FOR

# GOOD CITY GOVERNMENT

AND OF THE

## SECOND ANNUAL MEETING

OF THE

# NATIONAL MUNICIPAL LEAGUE

HELD AT BALTIMORE

MAY 6, 7 AND 8, 1896

OAKLAND, CALIF.  
FEB 25 1897  
PUBLISHED BY  
NATIONAL MUNICIPAL LEAGUE  
1896

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## INTRODUCTION.

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The Baltimore Conference for Good City Government, held in May, under the auspices of the National Municipal League, brought out and emphasized three noteworthy facts. In the first place, there was a recognition on the part of nearly all the speakers of civil service reform as a pre-requisite to municipal reform. President Carter's annual address dwelt upon this point, and the paper of Merritt Starr on "Chicago Since the Adoption of Municipal Civil Service Reform" showed conclusively that the introduction of the merit system results in securing a large measure of good government. The statement of President Carter that, when civil service reform is installed in our cities, "not only do we secure a faithful man for the office, but we get rid of a man who was known before not to serve faithfully but to prostitute the office to a ward boss," was illustrated by the experience of Springfield, Mass., as related by Mr. George A. Denison, of the Springfield *Republican*.

The second point was that good city government is dependent not so much upon good laws and good charters as upon good men. One paper, for instance, showed that some cities had had poor results with bicameral legislatures, while others reported equally bad results

with single chambers. Some advocated the distribution of power and responsibility among commissions and councils; others, the concentration of them in a single executive head. All, however, agreed that the evils of bad laws and charters were greatly mitigated when good men occupied the offices.

In the third place the papers on the municipal conditions of leading Southern cities brought out what had not heretofore been realized, the great need for municipal reform in our Southern cities. Theretofore the general impression had been that outside of one or two of the larger Southern cities municipal corruption and inefficiency were of Northern origin and growth. This notion, however, was completely dispelled by the showing made at the Baltimore Conference.

The League, in its annual conferences and meetings, does not pass resolutions embodying its views upon questions relating to municipal government and its reform, preferring to leave to each speaker a free platform for statements of the facts of the case and his arguments from them. The essential idea of the Conference is to promote the free and full discussion of the difficult problem of municipal government, wisely avoiding any *ex-cathedra* utterances concerning questions upon which the best minds may, perhaps, differ.

The Proceedings of the Baltimore Conference will prove particularly valuable, not only because they bring out the points already mentioned, but because they dis-

cuss the important subjects of the control and ownership of municipal franchises, and the relation of corporations enjoying such franchises to the municipality. The time is rapidly approaching when these questions will be the all-absorbing ones in most of our municipalities. For this reason the papers read at the Baltimore Conference will be found both useful and timely.

The reception of the first two volumes of the Proceedings of former Conferences justifies the continued publication of the papers and discussions. Increasing use is made of them in the class-room and by editors and authors, as well as by those seeking to improve the present conditions of American cities. If the League did no other work during the year than to publish this volume, it would not have labored in vain. Already the edition of the Proceedings of the Philadelphia Conference is exhausted, and it will not be long before the edition of the second volume will also be exhausted. In view of this, a larger edition of the Proceedings of the Baltimore Conference has been published to meet what we feel to be a growing demand for the precise, accurate and candid discussion of what may, perhaps, be designated as the most important question before the American people. No branch of the government comes more closely home to individual citizens, hence the necessity of immediate steps to rectify the prevailing inefficiency and, in many instances, corruption existing among those who are charged with its administration.





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# PROCEEDINGS

OF THE

FOURTH

National Conference for Good City Government.

HELD IN

BALTIMORE,

Under the Auspices of the

NATIONAL MUNICIPAL LEAGUE,

May 6, 7 and 8, 1896.

1915 ✓

*Wednesday, May 6, 1896, 3 P. M.*

The first session of the Fourth National Conference for Good City Government was called to order in the Assembly Room of the Music Hall, at the corner of Mount Royal Avenue and Cathedral Street, by Charles J. Bonaparte, Esq., of Baltimore.

MR. BONAPARTE: *Ladies and Gentlemen*:—The first item on the programme, as originally prepared, was an address of welcome, the addressor being left to the imagination. The Revisory Committee improved on that by also leaving the address of welcome to the imagination of the delegates, which, we trust, will be sufficiently lively, relying on the ladies of the Arundell Club to supply any deficiency this afternoon. (Laughter and applause). I have, therefore, merely to leave unsaid the pleasure which is felt by those who may, more or less, unworthily claim to represent Baltimore, in seeing the meeting of the National Municipal League here. Before giving place to one more worthy, I desire to read two announcements—one that the Arundell Club, 216 West Madison Street, cordially extends its privileges to the ladies connected with the Conference, whether as delegates or otherwise; and secondly, that the University Club extends the like privilege to the gentlemen attending the Conference, and I have

no doubt would have been happy to do so as far as the ladies are concerned, if they had ventured. (Laughter).

I now announce the opening of the Conference, and request Mr. James C. Carter, the President of the National Municipal League, to take the Chair. (Applause).

MR. CARTER: *Mr. Bonaparte, Ladies and Gentlemen*:—On behalf of the National Municipal League I beg to extend, through Mr. Bonaparte, to the people of Baltimore, especially to those who are interested in the cause for which we are assembled here, acknowledgments for the welcome which has been extended. He has said that both the welcome and the speaker have been omitted from the programme, and, therefore, we must leave that welcome to the imagination. I can assure him I think on behalf of all of you that we can all very well imagine the welcome which will be extended to us by a people so distinguished for their hospitality as those of Baltimore; and thanking him, at the same time, for the invitations which have been received from the Arundell Club and the University Club. The Conference is now open for business, and the first paper in order will be that from the Secretary of the League, Clinton Rogers Woodruff, Esq., on "A Year's Work for Municipal Reform."

Mr. Woodruff then read a paper on "A Year's Work for Municipal Reform." (See *Appendix*).

THE PRESIDENT: The next paper will be read by Charles Morris Howard, Esq., Secretary of the Baltimore Reform League, on "The Recent Revolt in Baltimore: Its Results, Its Lessons."

Mr. Howard then read a paper on "The Recent Revolt in Baltimore: Its Results, Its Lessons." (See *Appendix*).

THE PRESIDENT: The next paper will be read by Merritt Starr, Esq., on "Chicago since the Adoption of Civil Service Reform."

Mr. Starr then read a paper on "Chicago since the Adoption of Civil Service Reform." (See *Appendix*).

THE PRESIDENT: The next paper is entitled "The Work of the Ohio Chamber of Commerce," by Thomas L. Johnson, Esq. Mr. Johnson has not yet reached here; but he has sent his paper.

THE SECRETARY: I move that the paper of Mr. Johnson be received and printed as part of the proceedings.

This motion was duly seconded, and on the question being put it was decided in the affirmative.

THE SECRETARY: Before adjournment I desire to announce that a registry for delegates has been provided at the headquarters in the Hotel Stafford. There will be a meeting of the Board of Delegates for the trans-

action of such business as may come before it, including the election of officers, in this Hall to-morrow at 9.30 A. M. All duly accredited delegates are entitled to seats in that meeting, and are entitled to vote. The Conference, to which all, whether delegates or not, are invited, will begin at 10.15 A. M. There will be a meeting this evening in this Hall, at which the Annual Address of the President will be delivered. That meeting, at eight o'clock, will be open to all. You are requested to be present and to bring with you all your friends interested in the cause of good city government.

THE PRESIDENT: This being the close of the programme for the afternoon the Convention will now adjourn until to-morrow morning at 10.15 A. M.

The Conference thereupon adjourned.

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*Wednesday, May 6, 1896, 8 P. M.*

The delegates and citizens of Baltimore assembled at 8 P. M. to listen to the Annual Address of the President, James C. Carter, Esq., of New York, who was introduced by Charles J. Bonaparte, Esq.

MR. BONAPARTE: This gathering indicates in some degree the welcome, which I am sure the people of Baltimore are disposed to give to this assembly of the National Municipal League; to show the interest which we feel in the subjects which are to be discussed. We hope and believe that we will derive profit from the discussion. The exercises of the League will go on as usual to-morrow. To-night is devoted to the Annual Address of the President of the League, a gentleman whom we all know by reputation, which, although it is flattering, is none the less true. It is a very great pleasure to us—I am sure I speak for all—to see him and to hear his voice. I have the honor to present Mr. James C. Carter, of New York. (Great applause).

The President then delivered his Annual Address. (*See Appendix*).

MR. BONAPARTE: Allow me to profit by the audience, which has been gathered together to hear Mr. Carter, to give you some useful information, not on any particular hobby of my own, but as to the future exercises of the National Municipal League. The meeting of the Board of Delegates will be held to-morrow at 9.30 A. M., very punctually. All delegates are requested to come as promptly as possible at the hour mentioned to illustrate the old adage that punctuality is a virtue of kings and the undoubted truth that every American citizen is a sovereign.

The morning Conference will commence at a quarter past ten and the

afternoon Conference at 2.30 P. M. There will be a lunch intermediately. All persons interested in the work of good government are invited to attend these Conferences, and, provided that they attend the Conferences, also to the lunch. (Laughter and applause).

The meeting now stands adjourned.

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*Thursday, May 7, 1896, 10.15 A. M.*

President Carter in the Chair.

THE PRESIDENT: The first paper to be read will be on the subject of "Municipal Ownership of Street Railways," by Frank M. Loomis, Esq., of Buffalo, N. Y.

Mr. Loomis read a paper on "The Municipal Ownership of Street Railways." (See *Appendix*).

THE PRESIDENT: The next paper is on the same subject, and will be read by Charles Richardson, Esq., of Philadelphia. During my temporary absence I will ask Mr. Bonaparte to take the Chair.

Mr. Richardson read a paper on "The Municipal Ownership of Street Railways." (See *Appendix*).

THE CHAIRMAN: The next paper is on "The Public Control of Franchises," by Hon. Hazen S. Pingree. We had hoped to hear from Mr. Pingree, the Mayor of Detroit, personally; but I am sorry to say instead of his coming I have just received a letter in which he asks us to come to him, which appears to me to illustrate the saying of the inability of the mountain to come to Mahomet and its consequences. I believe, however, that his paper has arrived, and it will now be read by the Secretary, Mr. Clinton Rogers Woodruff.

The Secretary then read Mayor Pingree's paper on "The Control of Public Franchises." (See *Appendix*).

THE CHAIRMAN: The next paper is entitled "The Relation of a Municipality to a Quasi-Public Corporation Enjoying Municipal Franchises," by William M. Salter, Esq., of Philadelphia.

Mr. Salter then read a paper on "The Relation of a Municipality to a Quasi-Public Corporation Enjoying Municipal Franchises." (See *Appendix*).

THE CHAIRMAN: We had hoped to hear at this stage a paper from Mr. P. J. Maguire. Mr. Maguire has not yet arrived. I would ask, in the absence of his paper, if any discussion is desired on the topics presented in the several papers already read? If there is this is the opportunity for the persons who feel moved to say anything. If not we will pass to at least one other paper.

MR. LOOMIS: I do not wish to take up any other person's time; but if no one else desires to speak at this time I would like to say a few words in answer to one or two of Mr. Richardson's points. I think it likely that he would like to hear any criticism on his paper.

I would like to direct attention in the first place to the contention made by Mr. Richardson that one objection to municipal control of street railways by the local authorities would be on account of the officials being corrupt. I do not see how he can expect to get any better result from a corrupt official under municipal ownership than under municipal control. If that is the objection to the endeavor to control the operations of these franchises by home rule, it certainly would operate with as much or greater force against that control which is incidental to the control and operation of the franchises by the municipality. When he speaks of the different public spirit which is manifested in Europe as a reason why that control is efficient there, he must remember we need the same public spirit if the franchise is owned and operated by the municipality.

I do not believe, as I took occasion to say last year, that there is a lack of public spirit among American citizens. I believe, as earnestly as I believe anything, that if we had the same system here that exists in Europe, by which we would not be under the control of caucus rule, that the American would rise equal to the occasion as quickly as the European. As you know, in Europe they are not under the dictation of a caucus. In Europe there is but one municipal officer voted for. Any eight persons can put the name of their candidate on an official ballot without expense. There is no undue multiplicity of candidates, because only one man is voted for by the electors at one time. Now that is death to caucus rule. It is death to machine rule, and that is the reason why public spirit has manifested itself in Europe as it cannot in America to-day. It is not due, as I believe, to any lack of civic spirit in the American citizen. I think we must have that municipal home rule. We must have that reform of our electoral system before we can accomplish all that might be reasonably expected from public control of franchises.

Now I do not dwell at any length upon the objection to municipal ownership and operation of franchises that it would tend to magnify the evils of the spoils system, because I assume that would be obvious to all; but how any one can believe for a moment that those evils would not be greatly magnified under the municipal ownership and operation of franchises I cannot conceive. As we see it to-day, the great evil from that source is found in the larger cities. The more there is of the public service the worse the evil is. Now I have heard it said, as I have no doubt

you all have, that the hair of the dog would cure the bite. I have heard it said that like cures like, especially if the curative remedy is administered in homœopathic doses; but I have not heard it said that a cure administered in allopathic doses of the same kind as the evil which it is given to remedy will do very much towards curing the patient, and I think the more we add to this evil, the more we add to the number of office holders, the worse the condition will be.

Now it is said, too, that the ownership and operation of the franchises would give the people an interest in public matters, which would arouse them to unusual exertion, or more exertion than is now shown. Gentlemen, there is nothing which would add more to the public interest of the individual citizen, nothing that would arouse him more to action, than to know that under municipal control he would absolutely have in his power the right to elect a public official who could absolutely control the exercise of the franchises, subject only to revision by the court. That would arouse the interest of the voter, and lead him to take an interest in public matters much more so than would the simple public ownership and operation of these franchises, that would take it from out of his immediate interest or control.

I do not know that I desire, or whether it would be wise to discuss at all the last paper read here. It was a matter of great surprise to me, not having seen the paper or heard of its contents, to notice how, on nearly parallel lines, the first parts of our papers were prepared; and it would be a surprise, I think, to any gentleman who had prepared a paper for an occasion of this kind to find another who had also received a similar invitation, had pursued the same line of thought up to a certain point, had started out with the same premises and come to the same conclusion. But if we are to have a discussion, perhaps I might as well say a word about it.

I have some doubt myself—I am not expressing a very positive opinion at this time upon the matter—but I have some doubt as to whether it would be wise, independent of the right existing, in a community to attempt to regulate the wages of the employees of a street railway company by law. I think there is also a distinction between the rights which the people enjoy as a whole. Everybody rides on street cars. I think there is a distinction between the right to regulate a matter of that kind and that which relates simply to one body of citizens—the employees of the railroad company. It seems to me there is an important distinction there.

Then again, I may be diverging a little from my subject, yet I hardly know how to discuss it without stating briefly my own views on this question of regulating the wages of labor. I have always believed that this



vexed question between capital and labor never could be solved, except by giving full liberty of combination and organization to both the capitalists and the laborer—full liberty, except so far as that liberty goes to the point of transgressing on the liberty of others. That is, liberty to organize, liberty to operate collectively so far as that liberty is not carried to the point that it transgresses on the like liberty of another. I am one of those who believe this question will never be solved until the battle, figuratively speaking, is fought out.

Labor and labor organization show more and more integration as the years pass and capital is concentrated more and more. If each class is allowed free liberty of action both labor and capital will be so thoroughly organized that both the capitalists and the laborer will do the fair thing. That is to say, that the capitalist will finally be placed in such a position that he cannot demand more than a fair return on his capital over and above the amount he pays to labor in wages and the laborer; on the other hand, when this condition is reached the laborer cannot exact any more than a fair wage, because if he does business will cease.

I am a great believer myself in liberty of action, except so far as it begins to trench upon the right of another; that is perfect liberty of action, except so long as the law is not violated.

I believe this question can be best solved by allowing the different organizations of capital and labor to work along the lines of evolution, and, sooner or later, if let alone, and each organization allowed to work along its own lines untrammelled, the question will solve itself, and much more effectually than can be done by the interference of the legislature.

I have, perhaps, taken up more of your time than was my province or privilege to do. I trust that this question as to municipal ownership, and the other question raised by my friend, Mr. Salter, will be discussed in detail. For my part I am convinced that the best way to arrive at the true solution of this question is to have an open and free discussion—not to have everything confined to formal papers, read by those who have prepared them at their leisure before the meeting; but to have a full and free discussion from those interested in the subject, because it is only by criticism of our own views that we can profit. The only way we can profit by hearing these papers read is to have them criticised. If anything is said, if any statement or contention is made which will not bear examination, that fact ought to be shown clearly. In that way, and that way alone, can we make progress in arriving at a true solution of this question.

THE CHAIRMAN: It may be a question as to what is a natural monopoly, but this discussion is not a monopoly of those who have read

papers on the subject. The Chair will be happy to recognize any gentleman or any lady who desires to be heard on the question.

MR. RICHARDSON: I suggest that it would be well to limit the time.

THE CHAIRMAN: The Chair, acting on that suggestion, will assume the function of censor in the matter of time, and will suggest, at the end of ten minutes, to each speaker that possibly the rest of his time might be given to another. The Chair recognizes Dr. Leo S. Rowe.

DR. ROWE: It seems to me, in the first place, that it is a mechanical way of looking at this problem of municipal government to start out with the premises that, given the number of evils from which we suffer at the present time, the extension of functions must increase those evils either in arithmetical or geometrical proportion. That view of municipal activity fails entirely to recognize the fact that municipal government is something far more than a governmental office; that it is essentially a social law, and that the arguments advanced in support of efficient governmental organization are of comparatively little value when applied to the question of municipal government. The question of concentration of responsibility, the question of division of executive and legislative functions, the question of two chambers, one of which shall act as a check on the other, are all of very subordinate importance when applied to the question of municipal government.

It seems to me, therefore, all these questions must be viewed from another standpoint. We, in the larger cities both of the United States and in Europe, have been placed in entirely new environments; entirely new conditions have been developed about us, and these conditions call for an entirely new set of civic instincts, civic ideas and civic habits; and it is the development of those new instincts, new customs of the new city man, as it were, which must be kept continually in view in determining the question of governmental organization and determining the question of the character which our city life shall take. It seems to me, therefore, when you come to consider the extension of municipal activity, the question must be judged by the development, the incentive which this increased activity will give to these new instincts and habits. It was, therefore, with very great pleasure that I welcomed the thought of Mr. Richardson in his paper that an increase of functions on the part of our municipal corporations, while it undoubtedly involves certain very grave dangers—and no one is more cognizant of those dangers than myself—still it has the one great argument back of it that it will serve to bring responsibility to the people; that it will contribute to the development of those qualities which seem to me to be essential in modern civic life, and the lack of which is the

true explanation why the forms of government adopted by us in national affairs have been a failure in the United States when applied to the cities. It is the reason why concentration of power has not been as satisfactory as predicted for it; it is the reason why any mere governmental organization will be unsatisfactory and remain unsatisfactory until we have this new development of the individual, as pointed out in the paper of Mr. Richardson.

Coming, then, to the second point, viz.: The question of control by the municipal government over public corporations, we have to keep in mind that we Americans live under a peculiar constitutional system; that on all sides we are hampered—probably that word hampered is objectionable—but meaning, at all events, that on all sides we are limited by specific constitutional restrictions which have been placed on the power of the government in our national and our State Constitutions. Therefore, this question of municipal control of private corporations must always be considered with specific reference to the doctrine established by our courts in interpreting those constitutional restrictions.

I should fully agree with the gentleman who preceded me in saying that under ordinary circumstances municipal control over private street railway corporations such as we find in most of the German cities, such as we find in many English cities, that municipal control under those circumstances would be preferable in our country to direct municipal management; but if the gentleman has lived in a city where the city authorities had endeavored to exercise control from time to time over private corporations exercising municipal franchises, and has seen how, at every step, they have been hampered by the fact that the courts, and very justly, are committed to a certain doctrine for the protection of private property and apply the same rules of law to the corporations enjoying municipal franchises, as to private corporations—purely private corporations and individuals—he would see that, while municipal control of these corporations is very well in theory, and, as a general principle, is a perfectly valid system, yet, under our peculiar system of government, and especially by reason of the fact that our courts exercise such a controlling influence in determining the limits of municipal activity under our present system, such municipal control cannot be effected. I feel sure it cannot be effected in the State of Pennsylvania. I have in mind quite a number of the decisions of the State courts where exactly the same obstacle is met with, and acts as a deadly influence on the control of municipal corporations by the municipality; and, as I said before, I do not see how it can be effected under our present system. (Applause).

MR. GEORGE BURNHAM, JR., Philadelphia: I only wish to call atten-

tion to the fact that in neither of the papers read has the idea been fully brought out that there is a plan of municipal ownership that does not involve municipal organization. It has been tried, I believe, very effectually in some English cities. I refer to the plan where the city owns the railroad companies, but leases them for a limited period of time to private corporations. This, it seems to me, would obviate the difficulties that Mr. Loomis pointed out of introducing into the city another set of employees and officers, because the employees in this case will be those of a private company. It would, on the other hand, enable the city to make, from time to time, a better bargain than when the franchise is once for all given to a corporation which is allowed to do pretty much as it pleases.

I am inclined to favor the plan of a city leasing rather than operating its public franchises, at least, tentatively, until our municipal conditions are very much improved and the civil service or merit system is more fully established.

MR. RICHARDSON: I think that some of the points that have been raised have been pretty well covered in my paper; but I would like to say a few words in regard to the remarks of my friend, Mr. Loomis.

In the first place, he suggested that the officials being corrupt, the system which my paper proposed would be of no advantage. Now, it seems to me, that bribery, like other bargains, takes two; and as the system which I proposed—of course, the system is not original with me—would do away with bribery entirely, as there would be no company to do the bribing. I think the result of the system would be to make the officials less corrupt; so that in both of those ways we would gain the advantage which I suggested.

Now, as to this increasing of the spoils. I would suggest again that the most conspicuous instance of the spoils system has been in the United States Government. There the funds were large, the employees were more numerous, the funds handled have been greater—possibly they are still greater, but at any rate almost equal to that of all our American cities combined; and it is precisely because of that fact, as I believe, that we have been able to interest the people of the United States, and to get a public sentiment strong enough to secure the placing—I see by the *News* it amounts to more than eighty-five thousand places—of such a large number of the employees of the United States under the Civil Service system. I think if it has worked so well in the United States Government, we could reasonably expect it to work as well in our municipal government.

Mr. Loomis speaks of municipal control. Now, fortunately for my argument, we have experience on that question, and I know of no case in an American city where an attempt at municipal control of street railways

has not resulted in the absolute control of the municipality by the street railway companies. We have had for nearly forty years in Philadelphia the complete power by the City Councils and the city government to control the street railways. They had the power, under the original ordinance, before a rail was laid in the city, to take the property of every company that was thereafter allowed to lay its tracks, at cost. With that power they could certainly have controlled it so far as legal power is concerned; but, as a matter of fact, the companies have controlled the city, and control the City Councils to-day. I think that will be the general result of municipal control.

The last suggestion of my friend, Mr. Burnham, was also alluded to in my paper, and that is: that cities should own the railroad companies, own the properties, and then lease them to operating companies. I can only repeat the suggestion I made in my paper, that that leaves the company alive to do bribery, to do corrupting, to get advantageous terms for itself. It is like trying to control a rattlesnake by taking a firm grip of its tail—the results would be unsatisfactory. (Laughter).

Moreover, in those cities in Europe, and I think Dr. Rowe will bear me out in that statement, which have exercised most successfully municipal control over such companies, are now tending very strongly, and in some of them have actually accomplished it, to change to the system of absolute operation, as well as ownership. (Applause).

MR. J. F. HUDSON, Pittsburg: The intimation in one of the remarks that we are to be restricted in our discussion of what ought to be by the views which have been taken by certain Superior Courts, moves me to express my conviction that, if we are to be governed in our views of reform by the views which have been taken by the Pennsylvania Supreme Court, at times, we might as well sit down and leave the solution of this question to the cataclysms of the future.

I have been moved to take part in this argument for one purpose. With a profound appreciation of the study of this question given by the other gentlemen, it seems to me that they have, in the matter of remedy, adopted, to a certain extent, the position of those who, if they had passed along a road and having taken the wrong way, find themselves presently at a place where the road ends, and an unscalable precipice on one side and an impassable stream on the other, should stop and debate whether it is best to try and scale the precipice or try and swim the stream. I believe if we study the question of the granting of all these franchises, if we go back to the starting point, if we consider the principles laid down at that starting point by the highest authorities, legal as well as social, we can

see where the wrong road was taken. The proper course is when we come to the stopping place on the wrong road, to turn around and go back and start on the right road.

In order to explain within the limits of my time what I mean, I will turn back and allude for a moment to the point which has been touched upon by nearly every paper—and that is the question of a natural monopoly. As I understand it, the definition of a natural monopoly is a business in which, by its nature, competition is impossible; that is, by the nature of the service to be performed, two competitors cannot perform that service as well as a single one. There may be such a business; but I desire to express my thorough conviction that the business under discussion here to-day—that of transportation through the streets—is not such a business; that the business of distributing gas, fuel gas or illuminating gas, to a city is not such a business, and I wish to assert that if one-half the time, ingenuity and scheming had been devoted to preserving and maintaining competition in those businesses, that has been devoted to suppressing, excluding and stamping it out for private profit, you would find thorough, legitimate and perfect competition in each one of them to-day.

In the transportation business you have a set of rails running along the public highway, and the very nature of a public highway intimates that everybody with vehicles suitable to the character of that highway can use it. Suppose for an instant that the plan suggested was adopted, that the city when it paves its streets should lay the track. The fact of the matter is that the extra cost of the track added to the cost assessed for making the pavement would be a comparatively moderate percentage. Suppose, then, that over that track every one could run over that track an electric car, or a gas car, or compressed air car—and it is well to remember in all these discussions, while this country has determined for the time being that electricity is the power to be used, there are other motors which, it is claimed by experts, will eventually displace electricity—suppose anybody could run and operate over these tracks who brings his cars to it, would you not have competition there? And that competition could not be overthrown by combinations, because if those who were operating cars there for the time being on that track should combine, anybody with a few thousand dollars could bring another car there; or the public could bring another car there if it chose to do so. Would not that establish a principle of competition which would fix the just rate for transportation over that track because it would be fixed by the natural and normal conditions of trade?

There is a branch of this subject in which this idea seems to me to be very important. It may be a difficult question to take a business which has

so largely taken shape as the matter of street railways has; it is also a difficult subject to take the matter of gas that has crystallized in a certain degree in all our cities; it is a difficult matter to take questions of this kind, but the fact is, in regard to the subject of gas, there is a new development of it coming, as I believe, and as experts of the highest authority tell me. It has been ascertained in Europe and in this country that by what is called the closed oven process, you can make out of a ton of bituminous coal a product of coke, which, in fuel value, is very nearly equal to the bituminous coal. You can also make the additional product of gas, which in fuel value is equal if not superior to the ton of coal. In the next place you can, in addition, obtain from the manufacture by-products, the market price of which at present would pay the cost of the bituminous coal at or near the mine. To my mind this foreshadows a future in which the entire fuel of our large cities at least, and I think of cities of medium size, will be furnished, through this manufacture of coal with this smokeless and perfect fuel, manufactured at or near the edges of the city, the gas to be distributed for fuel in pipes throughout the city. The degree to which the full cheapness of that change for the future is to be secured to the people will depend upon the perfect ability of every manufacturer of coke and gas from these products to get his fuel to the consumer. Of course the coke will be transported by wagons and carts, as every one can run a cart through the streets on equal terms. Nobody ever yet started out with the idea that he should get from the City Council the exclusive right of running a cart through the streets. Suppose, by a corresponding law, which is as well founded and just as that in regard to carts and wagons, that when a gas pipe is laid beneath the street, that gas pipe must transport to its capacity the gas of all manufacturers of a fixed quality, for transportation through that pipe, to the consumers which that manufacturer designates, you will establish by such a law a policy by which every manufacturer of gas can compete for the supply of gas to consumers.

THE CHAIRMAN: The discussion is very interesting, but the gentleman's time has something more than expired.

DR. JOHN M. GREGORY, of Washington: I have but a few words to say. In the first place, I agree with you all as to the excellency of the papers in which this subject was first discussed before us, and I felt that although I am quite interested on one side of the question, and all sides of the question, I should be willing that the question should go to the jury of the people with no other remark added to it than the papers themselves. But there were in the papers, especially in one of them, some allusions to general principles which I do not deem to be correct, which none of us will agree with fully, in regard to the questions that are before us. As to munic-

ipal gas, municipal railroads, etc., it seems to me that the friends of municipal reform, or of municipal betterment—which I think is a better word than reform, because it implies a good deal more—that the friends of municipal betterment should take it for granted, as I think we are now permitted to take it for granted, that the municipal railway will come, is bound to come, and speedily; and that the municipal gas works will come; that the evidence already before this country and before Europe is so strongly in favor of municipal gas works, municipal railways, municipal water works, etc., that nothing can prevent them, having their place, and at some early day in the future.

There remains for us, therefore, it seems to me, not very much more of discussion as to municipal right; or public right in regard to these questions. The question now is, practically, how to bring the day along. The difficulty that lies in the way, as proved in our good city of Washington, is that there is a very large number, as was intimated I think by Mr. Richardson, of people who are interested as shareholders in these stocks, that pay such large dividends, that I do not wonder no one wants to have his stock depreciated or taken away from him. I should be glad to own a good deal of such stock myself; I presume every one would be glad also for some shares of that stock. But I recognize behind these shareholders, and you do, large numbers—immense numbers—of people whose rights and whose interests and whose well being demands that these things shall come. I speak of the artisan and laboring classes.

The progress of city growth and the extension of cities over large territory has made the question of transportation in the streets a vital question to large numbers of those who are obliged to depend on their daily labor for their support; and the time is at hand when it will be absolutely necessary to provide these things; but the question is how to get around the difficulties that lay in the way.

I do not believe the argument for or against these things can be differently stated from what it has been stated. As I said, I would be willing that the two papers, the one read by Mr. Richardson and the other by Mr. Loomis, should go before the jury of the people as a full statement of the question; and I do not think the verdict would be long in coming back to us. But the question now is, to let the masses of the American people see what are the advantages that would be gained from this. One of those advantages alone I wish to state, and I state it more from our experience in the city of Washington than from any experience that you may have in the larger and older cities like Baltimore, Philadelphia, etc.—the distribution of the car service in our streets.



The building of railroads by corporations in the first place I regard was a necessity. The public interest and public intelligence on the subject would not have permitted the establishment of a municipal service at the outset; it could not have been done. We could not have had street railways established in that way in this country, though I think they could have been abroad. I agree with Mr. Richardson, after some years of residence in foreign cities—in the largest of foreign cities—that the condition of things, notwithstanding the objections of gentlemen on the other side, is so different that you can not make the argument alike for the European city and the American city. I will not stop to explain my own view; but I only give the fact. In America we could not have gotten our railroads if we had waited for the City Councils or any public authorities to produce them. But we all recognize the fact that within the last twenty-five years, steadily from year to year there has gone on a change in public opinion and an advance in the view of the public in regard to the rights and interests of citizens, and the duties of the community at large to the masses of its citizenship.

Now, in the city of Washington I observe this: that at every session of Congress, we have more or less corporations; many corporations coming to ask that they shall be permitted to put railways in certain streets. They have looked over the ground, and they have seen certain streets in different parts of the city that would pay them for the investment; and the others they do not propose to pay any attention to. The streets they would provide for are streets that could afford to do without them. The people who live there have their own carriages in a good many cases. The streets in which railroads are needed are not filled with this class of people. It is precisely as it was in regard to the postal system. The express companies could have carried the United States mail cheaper between the cities of Washington, Baltimore, Philadelphia, New York and Chicago than it is done by the government; but the express companies would not have agreed to have carried the mails anywhere except where it would pay, and the railroad companies, as far as I observe, will not build street railways except where it will pay. If, in place of these private corporations building our street railways, we should have government railways or municipal railways, they would be distributed to meet the wants of the city just as the Post Office has distributed the postal service to meet the wants of the people. The large routes pay for the small ones. The routes that would pay very much to the express company; the surplus that would be received from these routes in the case of the express company would go for the payment of dividends. In the case of the government, it goes for the payment of

the extension of the mails to places where letters will not pay for their own transportation.

Precisely the same thing is true in the city of Washington in regard to the street railway service. Where the masses of the people need this service, the people who need it are those who have to come two, three or four miles to the city to their daily labor; but there is no car service for them, and there will not be under the present system, until there shall arise population enough—a car-riding population enough—to pay for the establishment of those railways.

I mean to say that this is one of the arguments that ought to be placed before the people and dwelt upon. We should lead the people to make an earlier and stronger demand for the establishment of what must ultimately come.

I make no argument for the establishment of municipal railways under the supposition that we have got yet to debate the question whether the municipal railways can be run, whether they can be cared for, and whether civil service would be effective or not in that matter, or stretched beyond due bounds. I make no such argument, because I count it as a fact settled—as settled as that to-morrow's sun will shine—that the municipal railway, which has already begun to appear in Europe, and to appear very largely, will appear in this country.

As to this civil service part of it, I was going to say, as knowing something about it, from having been formerly connected with the Civil Service Commission, that the argument that has been made against the municipal management of street railways, or any other service, on the ground that it would increase the number of civil servants, and therefore an opportunity for corruption has no force, no weight, in effect at all. The increase of the governmental service of the United States Government in the city of Washington, and throughout the country at large, from ten thousand up to one hundred and twenty thousand and to one hundred and fifty thousand public servants has been accomplished before even civil service reform began to do its work, with a constantly diminishing proportion of defalcations and failures in that service. The increase of the public service, even if multiplied many times over, would not necessarily carry with it, from the history of the past, would not bring with it necessarily any tendency to corruption. That corruption has been from the great corporations, and not at all from the governmental service. (Applause).

MR. WILLIAM ERSKINE, of Wheeling: I rise not to make a speech but just to say one word. I am from a city which has always owned its water works, and for twenty-four years has owned its gas works, and for

several years has owned its electric light system, and I believe that not one citizen in a thousand would go back to private ownership of gas and water works; and but few to corporate or private system of electric lighting of the streets. (Applause).

REV. ADOLPH ROEDER, of Vineland, N. J.: Mr. Chairman, I have been an interested listener to these very interesting discussions and appreciate all that has been said, and escaped from the rattlesnake which Mr. Richardson so carefully handled along the pathway spoken of by the previous speaker, limited on one side by an impassable river and on the other by an unscalable precipice; and it seems to me that the discussion would tend backward towards its original points, that is, the points established by both the papers, as well as the suggestion of government ownership with lease to private corporations; that they would ultimately come back to the first objections that were acknowledged by both Mr. Loomis and Mr. Richardson; that is, that there is corporation corruption in municipal official circles, and that on the rock of corporation bribery everything would suffer shipwreck that could be tried or that could be inaugurated by the citizens of any one municipality.

But the fact of public ownership or municipal control of various franchises is, as the last speaker stated, not a theory any longer; but it is in its experimental stage. I see no danger, even looking into the future as far as one of the previous speakers has done, in the exercise by the municipality of these rights; but rather consider it in the experimental stage. Looking at it in that light I would say we probably could learn valuable lessons from the experiments tried. In one municipality, probably, it would be wiser simply for the municipality to have control. Under other circumstances it might be better for the municipality to have absolute ownership, to hold in every way and in all directions. Again, under other conditions, it might be wiser for the municipality to own and to lease. I have no doubt that the question could be settled, and it will be settled for each municipality by those most directly interested. Therefore, the question comes back not only to the statement made by one of the previous speakers as to the growth of civic spirit, as to its rapid development in our present day, as to that altruistic individualism which governs most nowadays—it comes back to that—but also to the two points given in the admirable speeches heard before. When our friend Mr. Starr brought forward the idea of civil service reform and gave such delight to my mind and work, and when that paper was universally emphasized by the order of the chief executive recently, and when the same idea was brought forward in various lights and under various views, it seemed to me then we

had taken the first step to a most important consideration that must decide itself or be decided by the public spirit: that is, the support of civil service reform in all quarters, and its introduction into municipalities if possible.

The other point was one raised by our esteemed President in his excellent speech of last night, which, I have no doubt, will live in our memories for a great many years; and that is, that if there is to be a check put upon the corruption against the rock of which the various efforts in municipal reform are now suffering shipwreck, if there is to be a check put upon that the greatest importance must be attached to the idea of separating, absolutely *in toto*, municipal affairs from the affairs of state and national politics and from the partisan spirit that naturally grows up in the absence of such separation.

I think the larger importance is to be attached to these two issues; the rest must remain in an experimental stage for some time to come.

THE CHAIRMAN: The Chair is sorry to announce the close of this discussion. We will now listen to a paper on the "Municipal Condition of Pittsburg," by George W. Guthrie, Esq.

Mr. Guthrie read a paper on "The Municipal Condition of Pittsburg." (See *Appendix*).

THE SECRETARY: I would like to add just a single word to Mr. Guthrie's paper, and state what he was too modest to state himself—that he was the distinguished leader of the reform ticket, and he was the man who came within twelve hundred and ninety-two votes of being the first reform mayor of Pittsburg. I would like to say further that, far from being discouraged, the Municipal League of Pittsburg proposes to keep up the fight—having engaged permanent headquarters and a secretary. It will continue the fight with every assurance of ultimately winning.

THE CHAIRMAN: There will now be an intermission for the purpose of refreshment, and the intellectual exercises will commence again, as punctually as our indulgence may permit, at 2.30 P. M. I will say in this connection that there will be some little change of programme, due partly to the fact that some of the gentlemen not having been able to attend personally are represented only by their papers, and also to a desire on the part of the Executive Committee, if possible, to reserve to-morrow afternoon for a business session, which seems likely to be important, as several matters of business await its determination. The Conference will resume its session in this room at 2.30 P. M.

The Conference then adjourned.

*Thursday, May 7, 1896, 2.30 P. M.*

President Carter in the Chair.

THE PRESIDENT: We will begin the afternoon session with the first paper, entitled "The Municipal Condition of Richmond," by Virginus Newton, Esq. Mr. Newton is not present and his paper will be read by Mr. Frank N. Hartwell.

Mr. Hartwell read Mr. Newton's paper on "The Municipal Condition of Richmond." (See *Appendix*).

THE PRESIDENT: We will pass to the next paper on "The Municipal Condition of Nashville, Tenn.," by A. V. S. Lindsley, Esq.

Mr. Lindsley read a paper on "The Municipal Condition of Nashville, Tenn." (See *Appendix*).

THE PRESIDENT: The next paper is on "The Municipal Condition of Memphis, Tenn.," by James H. Malone, Esq., which will be read by Mr. Z. T. Smith, of Pittsburg.

Mr. Smith read Mr. Malone's paper on "The Municipal Condition of Memphis, Tenn." (See *Appendix*).

THE PRESIDENT: The next paper is on "Municipal Reform in Georgia," by Arthur Dasher, Esq.

Mr. Dasher read a paper on "Municipal Reform in Georgia." (See *Appendix*).

THE PRESIDENT: We will have the paper, which was passed, entitled "The Municipal Condition of Atlanta, Ga.," by A. H. Davis, Esq., which will be read by Dr. Albert G. Lawson, of Camden.

Doctor Lawson read Mr. Davis's paper on "The Municipal Condition of Atlanta." (See *Appendix*).

THE PRESIDENT: This concludes the reading of the papers for the afternoon session; but before adjourning the Secretary desires to read several communications which have just come to us by letter and otherwise.

THE SECRETARY: I received this morning a letter from Mr. Newton, whose paper on "Municipal Condition of Richmond" has been read, stating that his absence was caused by the very serious, perhaps fatal, illness of his partner, and he felt he could not leave him.

I have also received the following telegram from the directors of the Louisville Board of Trade inviting the National Municipal League to hold its next annual meeting in that city. It is as follows:

"The Directors of the Louisville Board of Trade at a full meeting to-day unanimously passed a resolution inviting the National Municipal League and National Conference for Good City Government to hold their

next annual meeting in this city. You are hereby requested to lay the invitation before the proper authorities and urge its acceptance. Louisville will give glad welcome to the organization which is doing such good work for the betterment of our municipal government.

"By order of the Board,

"JAMES F. BUCKNER, JR.,  
"Superintendent and Secretary."

The following telegram is of great interest and great encouragement:

"NEW ORLEANS, LA., May 7, 1896.

"The Citizens' League, organized by the young men of New Orleans, congratulates the National Municipal League on the fact that the splendid victory achieved in New Orleans was won on the true lines of reform as laid down by your body.

"CHARLES JANVIER,  
"President.

"WALKER B. SPENCER,  
"Secretary."

I have a letter which is equally interesting and encouraging, coming from another section of the country. It is from Mr. Joseph T. Alling, President of the Good Government Club, Rochester, N. Y. It is as follows:

"MAY 6, 1896.

"It is with regret that I write, because I had hoped to be present at your Convention, as well as to have our city represented by a number of our good government men, as well as by our new Mayor. Pressure of official business prevents him from attending, and the pressure of private affairs keeps the rest of us at home.

"You doubtless know that we won a substantial victory in Rochester last fall. Since the new Mayor and some reform Aldermen went into office the financial affairs of the city have been shown to be in even worse condition than we stated last year, though at the time we made our statements we were fiercely assailed by the partisan press as theorists and liars. The course of events and the conduct of our new officials are amply justifying the good government movement of '95, and I confidently look for the development of a public opinion which will place Rochester unreservedly in the hands of the municipal reform element inside of two years, although no city in the state has been more completely in the hands of the machine than has Rochester.

"We received our impulse to this movement from the reports of similar work accomplished, or attempted, in other cities, and it is for the sake of mutual encouragement that I write at this time. Our Mayor is giving us

a strictly non-partisan administration. The Civil Service rules are being rigidly enforced, and we have much to encourage, and comparatively little to discourage us. Of course the machine will die hard and struggle desperately, but it looks to me as though success were almost assured.

"Yours very truly,

"JOSEPH T. ALLING,

*"President, Good Government Club, Rochester, N. Y."*

The following letters are of sufficient interest to warrant their reading as a part of these proceedings. One is from Hon. Alfred R. Conkling, formerly a member of the New York Legislature; the other from J. Richard Freud, Secretary of the Merchants' Association of San Francisco.

"NEW YORK, April 14, 1896.

"I sail for Europe to-morrow and hence shall not be able to attend the Fourth National Conference for Good City Government at Baltimore next month. I am very glad that Baltimore has been chosen for this Conference. The good citizens of Baltimore have risen above party and driven the ring out of power, but now it is to be regretted that the Aldermen of both parties oppose the reform Mayor and prevent necessary municipal reforms.

"I have read that a bill to compel voters to write their names upon registration has been reported favorably to the Maryland Legislature. It may have passed both houses at the time of the present writing. I commend this bill to the friends of good government in all states, for it is my firm and growing conviction that all reform, and especially municipal reform, must commence at the ballot box. I made this statement at the Conference one year ago, and I have since then received evidence of its truth. The coming year will witness a presidential contest; party lines will be drawn, and good government club men can do little more than enforce the election law. Let me suggest that all friends of good government should work for the welfare of city, state and nation by enforcing the registration laws and election laws. In the city of New York the friends of honest elections were never able to obtain enough watchers to enforce the election law until the good government club men in both political parties manned the polls in 1894. The result was that a fair election took place, while in the lower wards of the city in the preceding year the so-called election was simply a carnival of crime and corruption.

"Regretting that my absence in Europe will prevent my attendance,  
I remain,

Yours faithfully,

"ALFRED R. CONKLING."

" MAY 2, 1896.

"DEAR SIR:—The great distance of San Francisco from Baltimore renders it impossible to have a representation of this Association present at the Second Annual Meeting of the National Municipal League. The programme, as received, comprises addresses upon a number of subjects of vital importance to municipal progress. No doubt they will be treated in a masterly way by the eminent citizens announced in the programme. It is needless to express to you the deep interest of this Association in these significant topics. The Board of Directors heartily tenders you its sincere wishes for the success of the Conference and its fruitful results. We hope you will soon forward to us a copy of the proceedings.

" No city in the Union needs municipal reform more than San Francisco. A change of systems here is most necessary. The present government of San Francisco consists of a consolidation act passed by the legislature of the state in 1856—forty years ago. It is a piece of special legislation handed down for the government of the city. It has become obsolete, defective and irresponsible. A new charter has been framed in accordance with the constitution of the state, and will be voted upon by the people of the city on November 3d of this year. Considerable interest in this charter is already manifest, and it is devoutly to be hoped that the people will ratify it by a large majority. It will then have to be approved by the next legislature of the state. If ratified and approved, it will go into effect in July, 1897. If not approved by the legislature before April, 1897, it will not go into effect until January, 1899.

" This new charter as a whole is a very creditable organic law. Most of it has been taken from the charters of other progressive cities. Notably its articles upon Civil Service and Public Works and Centralization of Power are almost copied from the new charters of progressive Eastern cities. .

" In conclusion, permit us again, on behalf of this Association, to wish the National Municipal League success in its endeavors and that its beneficent efforts may reach every municipality in the United States.

" Very truly yours,

" MERCHANTS' ASSOCIATION,

" J. RICHARDS FREUD,

" F. W. DOHRMANN,

" *Secretary.*"

" *President.*"

THE PRESIDENT: Before we separate Mr. Bonaparte will make an announcement in reference to the dinner to-night, and then the meeting will adjourn.

MR. BONAPARTE: We trust all the delegates to the Convention have accepted the invitation, which we had the honor to tender them, of meeting those of the local League who have been deemed worthy to take part in



the festivities this evening, at half-past seven o'clock, at the Hotel Rennert. The test of worthiness is such as to insure you a creditable company, I hope, and all that is needed is that we shall have a full attendance among those who have favored the city with their presence on this occasion. We trust to see you there punctually at half-past seven this evening.

THE SECRETARY: I would like to call attention to the fact that some civil service reform literature has been placed here by the Secretary of the Civil Service Reform League for distribution.

The Conference then adjourned.

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*Friday, May 8, 1896, 10 A. M.*

President Carter in the Chair.

THE PRESIDENT: The audience is not very large, possibly having been detained by the festivities of last evening, and we must make some allowance on that account. As our friend, Mr. Holls, has to take an early train for New York he prefers to read his paper now, without waiting for a larger gathering. The Chair now has the pleasure of introducing Frederick William Holls, Esq., of New York, and the audience will have the pleasure of listening to his paper on "State Boards of Municipal Control."

Mr. Holls read a paper on "State Boards of Municipal Control." (See *Appendix*).

THE PRESIDENT: The next paper will be on "The Reform of Our Municipal Councils," by Henry W. Williams, Esq., of Baltimore.

Mr. Williams read a paper on "The Reform of Our Municipal Councils." (See *Appendix*).

THE PRESIDENT: Upon the question whether we shall have one or two legislative chambers two papers have been prepared. One by Mr. Samuel B. Capen and one by Mr. John A. Butler. Mr. Capen is not present.

THE SECRETARY: We have his paper, and I move, in view of the fact that Mr. Capen cannot be present, that his paper be received and printed as part of the proceedings.

The motion was agreed to.

THE PRESIDENT: Now we shall have the pleasure of hearing Mr. John A. Butler, President of the Milwaukee Municipal League.

MR. BUTLER: Ladies and gentlemen, you have heard that Mr. Capen is not present. To answer his argument, therefore, is something like striking in the air. But, happily, I think you will agree with me that we are gathered together, not so much to defend this idea or that idea, as to search

for the truth, to get at the truth by comparison of views rather than to stand absolutely for this or that view.

Mr. Butler read a paper on "Shall We Have One or Two Legislative Chambers?" (See *Appendix*).

THE PRESIDENT: The next subject which is to engage our attention is "The Necessity of Excluding Politics from Municipal Business." The best lesson we can have upon that subject is to witness Colonel Waring's own work in the city of New York. (Applause). It is only the next best that we can hear from the lips of the man himself.

Colonel Waring then spoke on "The Necessity of Excluding Politics from Municipal Business." (See *Appendix*).

THE PRESIDENT: Dr. Albert G. Lawson, who is to read a paper on "The Christian Citizenship League," is obliged very soon to leave town. Therefore his paper will now be read.

DR. LAWSON: It is said that variety is the spice of life. If you will pardon me the introduction of a single sentence, I will say that thirty-five years of my life, from boyhood up, were spent in New York and Brooklyn. I can, therefore, appreciate very heartily the statement of facts which Col. Waring has just presented to us, and the statement which our worthy president made the other night, for from the time I was eight years old up to the time I became forty-five I had never seen New York City without the miserable trucks, carts and drays strung along everywhere on every street until everybody supposed that that had always been so and must always continue to be so, and that there could be no alteration. We are certainly very grateful to Col. Waring for the condition of things we find now.

Dr. Lawson read a paper on "A Christian Citizenship League." (See *Appendix*).

THE PRESIDENT: We are going to finish our programme at this sitting. The paper on "The Municipal Condition of Albany," by Mayor Thacher, of Albany, is not to be read, for he is not here. Neither is Mr. Dennison, of the *Springfield Republican*, present to read his paper on "The Municipal Condition of Springfield," but the paper itself is so interesting that it will be read by the Secretary.

THE SECRETARY: Last year I had the pleasure of reading what I considered one of the most interesting papers of the Conference, that of Mr. Strong on "The Municipal Condition of Portland, Oregon." Those of you who were present, and those who have read the Proceedings, will recall that he described the condition of a typical Northwestern city of nearly pure American stock. This year it has been a pleasure to have sent to me by Mr. Denison, for reading in his place, a paper which I

think will prove as interesting as any we have heard, to wit, a paper on "The Municipal Condition of Springfield, Mass."

The Secretary read Mr. Denison's paper on "The Municipal Condition of Springfield." (See *Appendix*).

THE PRESIDENT: That closes, ladies and gentlemen, the reading of papers for this Conference. Mr. Bonaparte has some announcements to make.

MR. BONAPARTE: Ladies and gentlemen, the first announcement I wish to make is merely in the nature of a reminder that one of the exercises of this Conference still remains to attract our attention—namely, the lunch offered to the delegates at one o'clock. We trust that it will not suffer from the somewhat unexpected brevity of some of the proceedings this morning.

The second announcement more particularly interests the members of the Executive Committee. There is considerable business, some of it of a certain importance, awaiting that Committee. The Committee will meet for purposes of organization and also to attend to the business referred to punctually at two o'clock to-day in this room. I believe that the representatives of some of the affiliated organizations are anxious to obtain the next meeting of this League next year for their cities. If there are any of those delegates present the Committee would like to have them attend this meeting at two o'clock for the purpose of consultation as to the next place for the annual meeting, although it is possible, and indeed probable, that the Committee may not finally decide that question at this meeting.

THE SECRETARY: I desire to move that the paper of James W. Pryor, Esq., of the City Club of New York, on the question "Should Municipal Legislators Receive a Salary?" and that of the Hon. John Boyd Thacher, Mayor of Albany, on "The Municipal Condition of Albany," be printed as part of the proceedings.

The motion was agreed to. (See *Appendix*).

PROF. GEORGE L. FOX, of New Haven: Mr. President, I am not a delegate, but a very interested visitor, and wish to make an inquiry for a moment if the time is opportune. According to the programme two papers were to have been read upon the question, "Shall we have One or Two Legislative Chambers?" Unfortunately, that prepared by Mr. Samuel B. Capen, President of the Boston Municipal League, has not been read, and we have only heard one side of the question, in the paper presented by Mr. John A. Butler, President of the Milwaukee Municipal League. It is my duty to lecture before the graduating class of Yale, and I have in my lectures advocated the single chamber system, in which I am largely sup-

ported by writers on good government. The paper read by Mr. Butler advocates the bi-cameral system. On that question I may be heterodox of the worst sort. In that position, however, I may say that the experience of all the leading cities of Europe, except the city of London, is with me. But I should like very much to hear Mr. Capen's paper.

THE PRESIDENT: The paper prepared by Mr. Capen, taking the other side of the question from that read by Mr. Butler, will now be read by Mr. Bonaparte.

MR. BONAPARTE: Mr. President, ladies and gentlemen, I must say in advance of reading this paper that the defects of form in its reading must be laid upon the reader and not upon the writer.

Mr. Bonaparte read Mr. Capen's paper on "Shall We Have One or Two Legislative Chambers?" (See *Appendix*).

THE PRESIDENT: We have still some twenty minutes or more for discussion upon this subject. The delegates will be very glad to hear from Professor Fox, of New Haven.

PROFESSOR FOX: Mr. President, attending this Convention for the first time, and not being a delegate from any organization, although a member of the Good Government Club, of New Haven, I feel some hesitation in speaking. Yet I feel that I am speaking on the right side, and I will try to be as brief and to put my points as forcibly as possible. I do not need to tell Mr. Butler, who knows me of old, but I may need to tell the rest of the audience, that while I seem somewhat brusque in manner I am not so; it is simply my habit. I believe plain words are the best.

Some of the facts I wish to have brought out against Mr. Butler's paper were brought out in Mr. Capen's paper, especially as regards the preponderance of experience abroad being almost entirely against the contention of Mr. Butler. I may also add that the same thing is, to a large degree, true of America. That fact was brought out by Dr. Lewis S. Janes in his book on the "Problems of City Government." He is a man who always goes to the root of the subject. He got returns from almost all of the cities of the United States, and he proved, I think, that there were two hundred and fifty city governments with a single chamber and less than one hundred that had a double chamber in their legislative bodies. So that if we are to establish a legislative body of two chambers we are to act, not only contrary to the experience of Europe, which, as Mr. Capen said, ought to be far more valuable than our own, but also contrary to the experience of America.

It seems to me that the trend of feeling among advocates of municipal reform in this country is against the double chamber, notwithstanding Mr. Butler quoted numerous authorities in favor of the bi-cameral system. In

the State of New York there is but one municipal legislative body with two chambers, Buffalo ; whereas, there are thirty-nine cities with single chambers. I may point also to the fact that the newer charters for cities in Massachusetts, if I am not mistaken, provide for a single chamber. There has recently been passed a charter for North Adams which has many admirable features, like the referendum system, and that and the Fitchburg charter, and if I am not mistaken the Holyoke charter, all provide for a single chamber.

In New Haven we have quite a composite charter. I will not say this is a good one, nor will I say that our city government is bad. We had on the commission a man who was my predecessor as lecturer on municipal government at Yale, and another, an active politician, who would possibly be called a spoilsman. The first was a high-minded citizen who had made a careful study of the subject. They corresponded with many cities, and finally recommended a charter for one department. That charter was ratified by the citizens, and was ratified at one time by the common council, but afterward when it became Republican the vote was against it, and it was rejected by the legislature. But that charter was strongly in favor of the single chamber. So that I say the single chamber is favored by the best public opinion on the subject.

I will allude to the fact that there was in New York a commission created to draft charters for cities of the second class, namely, between fifty and two hundred and fifty thousand inhabitants, and for cities of the third class, of less than fifty thousand, and that commission reported distinctly in favor of the single chamber. Mr. Butler says in effect that if we do not take the view he holds we are going to fall into one of the radical errors pointed out by Mr. Bryce ; he contends that we must follow the analogy of the double chamber in the national legislature. But the analogy does not hold, because the work of the municipal body is mainly executive, while that of the national legislature is legislative entirely. That is proved by the records of the City of Boston, which show, by the revision of 1890, that four pages cover the amount of legislation done by that body in four years, outside of budget making.

The trouble with this bi-cameral system is that it is a delusion and a snare to think that one body acts as a check upon the other. If political motives prevail, they work together. For instance, the Republicans have had control of the municipal council of New Haven, year after year, for many years, and their work performed on the spoils basis, I am sorry to say. They have the election of the sealer of weights and measures, which is quite a tidbit to them. In that election they act together ; so that you cannot hold either responsible.

The focusing of responsibility is the salvation of municipal reform. This is illustrated by the course of action adopted by two great corporations in our city. It goes all through their business. They say to their agents, "We will give you the raw product, or the product at a certain stage of progress, and you must produce certain things; if you do not hand us back a certain amount of the finished product you must pay." That is responsibility. Therefore the contractor is careful. The advantage of a single chamber is that it focuses responsibility. It is a delusion and a snare, in my opinion, to think that we must have these so-called checks and balances.

It seems to me that the trouble is that so many people see the small things connected with municipal reform, and do not see the great ones. This is illustrated by conversation with Mr. Collamer, once a Senator from Vermont. And I do not tell this out of any disrespect for the Senator who succeeded Mr. Collamer, for I esteem him highly. I mean Senator Edmunds. In former times he was the "coming man." One of his constituents came up to the retiring Senator, Mr. Collamer, and said: "Don't you think Mr. Edmunds is a very smart man; a very acute man?" "Yes, he is a very smart man; he is a very acute man. He can see a fly on a barndoor a mile off, but he can't see the barn." (Laughter).

That is the trouble in some of our discussions of this matter. My friend, Mr. Butler, speaks of the town meeting. There is no better example of responsibility. In that case there is no division of responsibility. That is the single chamber, and that is what we want.

Let me illustrate again. I am a schoolmaster, and so I know possibly more about this than some others. Mr. Sanders is a cripple, who follows the business of "cramming men" for the universities, and is quite successful. I asked a friend of his how it was. The friend replied: "He takes the best men he can get, and then for about three months before the examination comes off he continues his 'cramming.' He calls them in and says: 'How is this man getting on?'" The reply is: "He is not getting on so very well." Then he asks of another: "How is he getting on?" The reply is: "He is doing better." "Do you think he will get in?" "I don't think so." Then he says: "He will either go in or you will go out." That sounds tyrannical, but that is the true business principle in administration. (Applause).

THE PRESIDENT: Is any one prepared to take up the cudgel on the other side?

MR. C. E. RUMSEY, of Pittsburg: I would like to say a word on both sides.

THE PRESIDENT: We should like to hear from both sides.

MR. RUMSEY: I did not come here as a one-sided man, but I have shown my interest in these proceedings by listening to every paper that has been read. I find myself now very much in the position as regards charters of the Irishman in the restaurant, who said to the waiter: "If that is coffee bring me tay; and if it is tay bring me coffee." (Laughter). It seems to me, from listening to these papers, that the cities that have had one kind of charter in the past invariably asks for the other kind for the future.

What does that show? Just as was said last night, the question is not in the law, but in the men. The corporations which are organized for profit are all organized under one law. What is the effect? What do we see? All acting under the same law, created by the same law, some going to prosperity and some to perdition. (Laughter). It seems to me, after listening to these papers, that I find myself upon both sides of the charter question.

I came here hoping for new ideas for the charter for the city of Pittsburg, so that I could go back there and advocate in our Municipal League some concentration of the wisdom of this Conference. And yet what can I say, when the very charter that is advocated by some gentlemen is an absolute failure in another city? It seems to me that I must go home and advocate a little of each. As I take this matter, still undigested, it takes this shape in my mind: That the best form of government for the city of Pittsburg, where we now have two chambers, is a charter which shall give one chamber, with a representative from each ward, and another chamber, which shall be elected at large, thus endeavoring to get the balance between the two. It would not necessarily follow that a city desiring one chamber must adopt this, but that a city which now has two might secure a less radical charter by having one branch, very much as it is now, to be balanced or checked by another chamber created on a different system. Therefore, I have talked upon both sides of this question.

MR. FRANK N. HARTWELL, of Louisville: In Louisville we are working under a reform charter, a charter formulated after a careful examination of the charters of various other cities, and we have always had the two chambers. We have twelve aldermen elected from and by the people at large, and we have a representation of two councilmen from each ward, making twenty-four councilmen and twelve aldermen. The purpose of that charter was to accomplish the main point under discussion at our various Conferences, namely, the localization of responsibility and the placing of the executive power, so far as possible, in the hands of the Mayor.

We have had a practical working of that charter for a year or two, but

we find that good as the principle of the law may be, the stumbling-block comes in the shape of the men. Recently we have had a great landslide in Kentucky, of which the papers have frequently spoken. Being disgusted with Democratic domination throughout the state, the people finally turned out the Democrats and put the Republicans in. We had a Mayor to serve an unexpired term of two years, who was a Democrat, with a Republican Council to contend with. The Good City Government Club had exerted some influence in the community and at the polls, and in deference to the sentiment largely created by us the Democratic committee very kindly consented not to make any nominations. The Republicans had always decried the folly and unwisdom of drawing party lines, but the minute they saw the opportunity to get in they drew the party lines very tightly, and by a coalition with the A. P. A. element the Republicans went into power. The Democratic Mayor died. When the Republicans went in they did so by virtue of their promises that we should receive a great many reforms. In the first place, there were a lot of men who were unknown and inexperienced, and largely, perhaps, by reason of that fact they meant to do in the Council the things which we thought they ought to do; but as they got a little more experienced the rows came in their own camp. When the Democratic Mayor died it devolved upon the Republican Council to elect his successor, which they proceeded to do. Then came the factions, showing their hands, the A. P. A. on the one hand, and the old-line Republicans on the other. And although the A. P. A.'s put the Republicans in, the Republicans had no use for them when it came to a division of the spoils.

So the result was that they placed in office a business man, a plain, modest, unassuming man, in whom we all had confidence. But our Mayor wanted to say who should be Senator. (Laughter). Having led successfully the State Republican forces so that the Republican candidate for Governor was placed in power—and I, as a Democrat, helped to elect him—that was practically his first figuring in politics on a large scale. But when it was Hunter *vs.* Blackburn, and Hunter was the Mayor's man, the Mayor was against the other Republicans who wanted some other man, and history tells us that we got no Senator through the scramble. Not satisfied with that, the Governor wants to be President. (Laughter). The Mayor did not want him to be President. (Laughter). So the Mayor fought the Governor, and he fought the Senator, and the fight continues all around. (Laughter).

Now, we thought we had the power placed in the hands of the Mayor to control the executive departments of the city, and with that end in view the new charter provided for what was called the executive boards, a committee on public works, and a committee on public safety, each composed



of three members. When the Mayor gets in, the charter provides that he can remove these committee officers for cause. He can then put men of his liking in. But these officials were Democrats, and the Democrats had given up everything except these few. They tried to screw up their courage to contest that provision of the charter. So these men have had lawyers come to their rescue and they get back to the constitutional requirements, and get out an injunction against the Mayor, and the matter is now in the hands of the higher court.

Yet we are working there under a charter which practically provides all the safeguards necessary to be provided in the form of a charter.

One point more. We found when this new Council came in and when the two chambers went into legislative session that they had first held their caucuses, and those men in secret session had decided what to do so that it would not have made any difference if there had been a dozen boards; they were one board practically.

My attention has never been drawn so carefully to this point as since hearing the discussion here on both sides of the question. But I am surprised to learn that there are so many cities where one board obtains. I am satisfied, however, from our experience that one board would do, because after we get right back to the main issue it depends upon the Chief Executive or the men composing the legislative body. It seems to me that one board, composed of the right kind of men, can accomplish just the same ends that two boards can. (Applause).

THE PRESIDENT: Before the final adjournment Mr. Richardson has some observations to make.

MR. CHARLES RICHARDSON, of Philadelphia: Mr. President, we desire to express our profound appreciation of the kind and generous hospitality and the unceasing care, kindness and courtesy which we have been privileged to receive in this beautiful city. I think its welcome, its hospitality and its courtesy will be a perpetual source of recollection, and will be a perpetual source of refreshment and encouragement—an evergreen spot in our memory in the years to come. I should like to offer the following resolution:

*Resolved*, That the sincere thanks of the delegates to this Conference are tendered to the organizations and citizens of Baltimore, by whom we have been so warmly welcomed, so hospitably entertained and so greatly helped and encouraged for our future work.

The motion was unanimously adopted.

MR. BONAPARTE: Mr. President, I do not know exactly why I assume continually the office of speaking for the organizations that have entertained the League. It is partly, and probably principally, because I have done none of the work, and, consequently, the work has been well done.

(Laughter). But I take great pleasure, on their part, in assuring the delegates that they have conferred a greater benefit upon us than probably most of us—or, at least, some—know. I am satisfied that few among the local reformers can have failed to derive direct and practical profit as well as encouragement from the meetings of the League.

As a mere example, I will suggest what occurred to me but a moment ago. We have been engaged in this city in attempting to sustain our Mayor in a controversy with our City Council. I may mention—if a very brief digression at this point does not alarm the audience—that the members of the City Council, or the spokesmen on their behalf, pointed out during that controversy that, inasmuch as it was very generally understood by municipal reformers that the City Council stood in the relation of directors to a corporation, they wanted the Mayor to occupy the same relation to them that the president of a railroad corporation occupied to his directors; and they asked what would be thought of the president of a railroad corporation who was constantly on bad terms with the directory? The contingency that the president might have to deal with directors who were thinking, not of advancing the prosperity of the railroad, but of simply filling their own pockets, or the substantial equivalent thereof, at the expense of the road, has not been so often realized in corporate management as it has been in municipal. (Applause).

But what I was about to say was, that we have been endeavoring, with perhaps more zeal than success, to sustain the Mayor in that contest, and my friend, Mr. Hartwell, suggested to me a moment ago a method which I am satisfied had occurred to none of us before. I am sure that, if instead of holding the meeting we did, although it was well attended, enthusiastic and addressed by persons (with one exception) worthy to be heard; if, instead of doing that we had held a german in this room, and made him the apex of the figure the inspiring effect would have been beyond all measure greater. (Laughter).

And now, as the last acknowledgment, Mr. Chairman, that I can make on behalf of the reform organizations of the city, we ask the delegates to pay us the compliment of seeing whether the lunch of to-day is of such a character that, if they had had experience as to its merits, they could still have voted unanimously the resolution of thanks. (Laughter). I therefore invite you to lunch.

THE PRESIDENT: Now, ladies and gentlemen, accepting very cordially the invitation of Mr. Bonaparte to lunch, which I hope will be as good as it was yesterday—and that certainly was delightful—our meeting stands adjourned, looking forward, as we do, with the greatest pleasure to the next annual Conference. (Applause).

**MINUTES**  
**OF THE**  
**Second Annual Meeting of the Board of Delegates**  
**OF THE**  
**NATIONAL MUNICIPAL LEAGUE,**  
**HELD IN**  
**BALTIMORE, MD.**

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*Thursday, May 7, 1896, 9.30 A. M.*

The meeting of the Board of Delegates was called to order by the First Vice-President, Mr. Charles Richardson.

THE CHAIRMAN: The first business in order, I believe, is the reading of the Treasurer's Report.

THE SECRETARY: Before that is done, I suggest that the minutes of the last annual meeting, which have been printed in connection with the proceedings of the Cleveland Conference, be formally approved. They have been sent to all the members of the League and, therefore, there is no necessity of reading them. If any change is desired to be made in them, it can be made, otherwise they will stand approved.

The question was put as to the approval of the minutes of the last meeting and the minutes were approved.

Mr. George Burnham, Jr., then read the Treasurer's Report, as follows :

REPORT OF TREASURER, NATIONAL MUNICIPAL LEAGUE,

January 19, 1895, to May 2, 1896.

*Receipts.*

Balance received from former Treasurer, January 19, 1895 . . . . .	\$404 78
Contributions . . . . .	710 00
Membership dues . . . . .	1,175 00
Sales sundry pamphlets . . . . .	39 50
Sales M. & C. Proceedings . . . . .	363 97
Total receipts . . . . .	<u>\$2,693 25</u>

*Expenditures.*

M. & C. Proceedings . . . . .	\$1,107 44
General expenses . . . . .	<u>1,450 50</u>
Total expenditures . . . . .	\$2,557 94
Balance on hand . . . . .	<u>135 31</u>
	<u>\$2,693 25</u>

THE TREASURER: I think I should call attention to one feature of the report. It does not, perhaps, look like good business to pay \$1107 for publishing a book and only get \$363 from the sales, but it must be borne in mind that every member of the League receives, gratis, a copy of the Proceedings. If that is taken into account it will be seen that the publication really pays for itself. The sales referred to in the report are sales to libraries and individuals not members of the League. As you see, we have pulled through financially fairly well, but it would be very gratifying to the Treasurer and to us all if we could in some way increase our contributing membership in order to give us more funds for our educational work. We could do more good if we had more money to spend in the distribution of literature.

On motion the Treasurer's Report was received and filed.

THE CHAIRMAN: The next business in order will be the report of the Committee to suggest nominations for Officers and Executive Committee, for the ensuing year. Is that Committee ready to report?

MR. FREDERICK L. SIDONS, of Washington: Mr. Chairman, the Committee on Nominations have instructed me to report the following names for officers of the League for the coming year: For President, James C. Carter, New York; First Vice-President, Charles Richardson, Philadelphia; Second Vice-President, Samuel B. Capen, Boston; Third Vice-President, Thomas N. Strong, Portland, Ore.; Fourth Vice-President, H. Dickson

Bruns, New Orleans ; Fifth Vice-President, E. J. James, Chicago, Ill. ; Secretary, Clinton Rogers Woodruff, Philadelphia ; Treasurer, George Burnham, Jr., Philadelphia. Executive Committee : Charles J. Bonaparte, Baltimore ; Matthew Hale, Albany ; Joseph A. Miller, Providence ; William G. Low, Brooklyn ; Frank N. Hartwell, Louisville ; Herbert Welsh, Philadelphia ; George W. Ochs, Chattanooga, Tenn. ; Dudley Tibbits, Troy ; and A. L. Crocker, Minneapolis.

A motion, duly seconded, that the Secretary cast the ballot of the delegates for the persons named by the Nominating Committee for the respective offices for the ensuing year, was made, and upon the question being put it was decided in the affirmative. The Secretary accordingly cast the ballot as instructed.

The Secretary announced he had cast a vote for the following :

President, James C. Carter, New York ;  
 First Vice-President, Charles Richardson, Philadelphia ;  
 Second Vice-President, Samuel B. Capen, Boston ;  
 Third Vice-President, Thomas N. Strong, Portland, Ore. ;  
 Fourth Vice-President, H. Dickson Bruns, New Orleans ;  
 Fifth Vice-President, Edmund J. James, Chicago ;  
 Secretary, Clinton Rogers Woodruff, Philadelphia ;  
 Treasurer, George Burnham, Jr., Philadelphia.

#### EXECUTIVE COMMITTEE.

Charles J. Bonaparte, Baltimore ;  
 Matthew Hale, Albany ;  
 Frank N. Hartwell, Louisville ;  
 George W. Ochs, Chattanooga ;  
 William G. Low, Brooklyn ;  
 Herbert Welsh, Philadelphia ;  
 Dudley Tibbits, Troy ;  
 Joseph A. Miller, Providence ;  
 A. L. Crocker, Minneapolis.

These officers and committeemen were thereupon declared elected to serve for the ensuing year.

THE SECRETARY : Mr. Chairman and Delegates, the Board of Officers and the Executive Committee of the National Municipal League just elected represent, as you see, the various sections of the country, the Eastern, Western, Northern and Southern. There are still, however, some large and important communities at present unrepresented on the Board which, by reason of their activity during the past year especially, should be represented. I, therefore, move an amendment to the present By-Laws of the

National Municipal League, that the number of the Executive Committee be increased from nine to eleven.

The question being put, the motion was decided in the affirmative.

THE SECRETARY: That being adopted I will suggest, or make the motion if necessary, that the Nominating Committee be requested to report names for the two additional positions on the Executive Committee.

The motion, duly seconded, was decided in the affirmative.

THE SECRETARY: While the Nominating Committee is selecting the names for the additional places on the Executive Committee I would like to read a telegram, which I have just received from New Orleans, which I think will be of interest to the members of the Board of Delegates:

"The Citizens' League, of New Orleans, organized by the young men of New Orleans, congratulates the National Municipal League on the fact that the splendid victory achieved in New Orleans was won on the true lines of reform as laid down by your body. Signed, Charles Janvier, President; Walker B. Spencer, Secretary." (Applause).

I have also a supplementary telegram, signed by Mr. Walker, which says:

"We regret that public affairs of importance, in connection with our recent victory, prevent our attendance at the Conference."

I think under the circumstances we will have to excuse them.

MR. BONAPARTE: As we do not wish to hurry the Nominating Committee in the arduous duties committed to them, I will take advantage of this opportunity to make an announcement, which may be of some interest to some of the delegates present. The place of meeting of the National Municipal League has always been selected by the Executive Committee, and I have had an intimation that it is possible that I may be re-elected to the responsible and lucrative position which I have held for some little time as chairman of that Committee. Assuming that the pipes which I am laying to that end will make proper connection, I therefore announce in advance that a meeting of that Committee will undoubtedly be held some time to-morrow. There will hardly be an opportunity to hold it to-day. At that meeting the gentlemen from the several cities who have paid the League the great compliment of intimating a desire to have the meeting held in their respective cities next year, will confer a favor upon the Executive Committee by attending its session. The hour of the session and the place will be announced later.

MR. SIDDON: I am instructed by the Nominating Committee to report the names of the following gentlemen as additional members of the Executive Committee, viz.: Judge E. J. Blandin, of Cleveland, Ohio, and Dr. S. M. Newman, of Washington, D. C.

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It was moved and seconded that the Secretary cast a vote for the two gentlemen named as additional members of the Executive Committee for the ensuing year.

On the question being put the motion was agreed to.

The Secretary accordingly cast the ballot of the delegates for Hon. E. J. Blandin, of Cleveland, Ohio, and Dr. S. M. Newman, of Washington, D. C., as additional members of the Executive Committee for the ensuing year.

THE CHAIRMAN: I know of no further business to come before the Board of Delegates at this meeting. If there is any new business to suggest now is the time; if not a motion to adjourn will be in order.

It was moved and seconded that the meeting of the Board of Delegates adjourn, and on the question being put the motion was agreed to, and the Board of Delegates thereupon adjourned.





# APPENDIX

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CONTAINING THE  
PAPERS READ BEFORE THE BALTIMORE CONFERENCE  
FOR GOOD CITY GOVERNMENT.



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PRESIDENT'S ANNUAL ADDRESS.

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JAMES C. CARTER, ESQ., NEW YORK.

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I must acknowledge the honor paid to the National Municipal League by the people of Baltimore in this large and very intelligent gathering. Personally, I am almost painfully sensible of the honor, for it seems to demand that sort of recognition which can only come from a careful selection of thoughts appropriate to the occasion and a presentation of them in premeditated language. For this my occupations have allowed me no leisure. I have not had time to commit my thoughts to paper, and I must ask your kind indulgence for such very imperfect effort as I am able to make, to lay before you the purpose of the League and some of the hopes and expectations which animate those who are striving to carry on its work.

We come to Baltimore this year for many reasons. In the first place, we were not insensible to the many attractions of your beautiful city. Baltimore has become, and is more and more becoming, not only a great centre of commerce and trade, but a centre of learning, education and the arts—a centre for the diffusion of light and knowledge upon all matters which most interest our national life and prosperity. We come in the next place because we have been invited with that cordial hospitality for which the citizens of Baltimore are distinguished; and, perhaps I may be permitted to add, we came for another reason. We have heard at former Conferences, and we have heard to-day, from the lips of some of your own citizens, that Baltimore was not altogether a stranger to those woes and miseries which afflict the other great cities of America; and it occurred to us that perhaps we might find here what is called “missionary ground” where we might sow some good seeds which would spring up and ripen for your, and our, benefit.

Now, as this is our first visit to Baltimore, I must not as-

sume that you are fully acquainted with the purpose and methods which the League has heretofore adopted and which it still maintains and practices ; and, therefore, I must take you back for a few moments to the causes in which it had its origin.

You are all very well aware that for many years, anterior to a quite recent period, the municipal governments of the cities of America had fallen into a very wretched condition, and that comparatively little attention was paid to them even by intelligent citizens. The great ambitions of the country, the ambitions of those who aspired to places of honor and responsibility, were, not unnaturally, turned to the larger fields of state and national politics ; and the interest of the citizens themselves, always, with us, greatly aroused and excited by political struggles, naturally followed their champions into these larger arenas. The result was that the striving for municipal places, and the contests over municipal questions seemed, comparatively speaking, petty and unimportant ; and the management of them was suffered to fall into the hands of a few persons, not always the most worthy, who could find some personal or political end to gratify by engaging in them.

In this way, all the offices of the various cities of the land were occupied mainly by persons having some very close connection with the ordinary business of politics, and, let me say, with the lower business of politics. Finally it was found, as the cities grew larger and larger, and the revenues necessary to carry them on greater and greater, that they afforded very great opportunities, not only for gaining the materials for political advancement, but for actual pecuniary rewards ; and consequently, these began to be struggled for, and struggled for, as you know, by the persons who did not have the highest objects in view, and generally, did not have largely in view the interests of their fellow-citizens. The methods and practices, therefore, of municipal politics came to be reduced to an art and carried to a very high degree of refinement. That art consisted, in its main features, of forming alliances between persons who would devote a great part of their lives to the organization and con-

solidation of cliques and factions in cities, and the leaders of one or the other of the great political parties. These alliances were formed everywhere and they became closer and closer, better and better organized. The main understanding which was at the bottom of all of them was that, if these manipulators of municipal politics and municipal voters would devote their attention to the organization of the political forces in the cities, bring them together and consolidate them, so as to be able when national or state elections came to be held, to throw them in a solid body to the one side or the other—the understanding always was, that if success was achieved, these manipulators should have at their disposal all the patronage, all the places, all the rewards which the municipalities could afford.

Now, the result of this state of things could not be otherwise than very disastrous. Its consequences, when our cities were few and the population small, when our cities contained, perhaps, only five or ten per cent. of our whole population, were not upon such a vast scale; but when they came to embrace one-half of the whole population of the land, when the annual revenues for the support of cities equalled, perhaps surpassed, the annual revenues required for the administration of the general government, the progress of this demoralization, its extension through municipal administration everywhere, became very alarming in its actual evils, and still more alarming in what they threatened. They were not only absolutely inconsistent with good municipal administration, but they were absolutely dangerous even to the existence and continuance of republican institutions.

I am not going to attempt to draw a picture of what these evils were. Most of you have some personal knowledge of them, some near acquaintance with them, and I have no heart to go over the disgusting details. I may, however, sum them up in a very words. They were principally these :

In the first place we had everywhere enormous taxation, a taxation which produced a revenue sufficient, if it were honestly and wisely applied, to furnish every city in the land with every

possible comfort and convenience, and even to adorn them with the triumphs of architecture and art. But all this was, in great part, misapplied; and the consequence was we had very little return for it. Our streets were miserably paved and everywhere in a filthy condition. The schools were poor; the police was corrupt from top to bottom and in collusion with evil-doers. All departments of government were affected by the demoralization, and the official force, from the mayor down, in our principal cities, was of a character which we could not exhibit in the face of the world without a feeling of disgrace. These were the consequences which flowed from this demoralization.

Now, some ten years ago, this condition of things began to excite, to a much greater degree than it had theretofore, the public attention. And about four years ago a small body of gentlemen in the city of Philadelphia, much interested in the municipal affairs of that city, and willing to spend a good deal of time and labor for their improvement, organized themselves into a small body for the purpose of making efforts to improve the condition of things there. They soon found that the state of things in Philadelphia was only a repetition of what it was everywhere else, and that the same necessity for reform existed in every other city, and they thought that it was an opportunity—that it was an occasion—in which they might derive, from the aid, the sympathy and the support of the friends of improvement in other cities, that kind of encouragement and that kind of help which always comes from united and common efforts. They, therefore, invited a conference of the friends of municipal improvement in many other cities to meet in the city of Philadelphia. This was four years ago, and the result was the formation of the National Municipal League. That is the history of our origin, ladies and gentlemen.

Now, a few words as to our purpose. Our first great and constant purpose is to arouse and awaken in the public mind everywhere an interest in municipal government; to expose the abuses which municipal government is everywhere subject to and which it everywhere exhibits, and to expect from that aroused

attention, those further efforts in the various different places, differing, as they do, according to the circumstances of the case—to expect in each place as a consequence of this aroused attention—active effort for real amelioration.

Our purpose, therefore, as you see, is that which must animate every first effort for reform. All such efforts begin in the conviction, very deeply lodged in the breasts of a comparatively few, that the evils are so great and threatening that efforts to remove them must be made, and the first effort always is to widen and deepen that conviction. That, therefore, is our main purpose.

In the next place, and as subsidiary to that main purpose, our aim has been to induce the formation of bodies, more or less resembling ours, in all the considerable cities of the land, to the end that they may awaken an interest in this question of municipal improvement in each city of the land—that they may excite an attention to the question of municipal improvement—lead to its discussion everywhere, and lead to the discussion of the various remedies which may seem most practicable for those evils, and with the hope that out of that discussion some conclusion may be evolved which may be of use in the actual work of reform.

In the next place our purpose has been to have annual meetings, and in addition to them conferences—meetings at which delegates from all these different associations should attend, and should bring with them reports of the condition of the principal cities which they represent—at which men, who have given especial attention to the various questions which municipal reform involves, should read papers carefully prepared, discussing the evils and the appropriate remedies; and then that we should publish these reports and these papers and give them a wide dissemination all over the country.

All this, gentlemen, as you will perceive, consists simply in awakening the public attention and in enlightening the public mind, in the full confidence that when that attention is thoroughly aroused and devoted to the question, and when the

public mind is properly enlightened, it will need little further effort to induce the actual institution of positive reform.

In addition to these principal objects we have this further one, viz.: That as a fruit of the discussions at the annual conferences, and as the fruit of the investigations, the results of which will be presented in these various papers, some definite and solid conclusions may be formed, based as much as possible upon actual experience—some solid conclusions, from which we can draw up and recommend a suitable plan of practical action.

Of course, when anybody observes an evil, especially a political evil, some sort of remedy generally suggests itself; but, for the most part, these remedies are, usually, ineffectual, because they are not based on extensive information or upon the results of discussion and investigation; still less are they based upon the fruits of actual experience. They, therefore, usually fail; and it is our conviction that it is not wise to adopt at an early period in our movement or recommend particular lines of action nor until we can frame some which shall be fortified with the teachings of experience and by those lessons which we can derive from discussion and investigation. This much, Ladies and Gentlemen, for the origin of our Association, the causes out of which it grew and the purposes which it has in view.

Now, a few words, as to what we have actually done. In the first place we have had these conferences each year. This is the fourth of our conferences and the second of our annual meetings and the results of those conferences, consisting in papers which have been read, or which have been presented—reports from a great many of the larger cities of the country—have been extremely instructive. I do not think that any delegate has ever attended one of these conferences without feeling that he has been greatly improved in his general comprehension of the subject, and greatly improved in his capability of suggesting remedies which should be, more or less, applicable to the particular place in which he happened to reside.

In the next place as to the formation of affiliated associations. That work has proceeded with a rapidity which none



of us imagined at first. It has not been in consequence of any particular solicitation on our part. We have sent out no agents. We have sent out no missionaries to form societies in this city or in that, but the fact of our existence—the objects of our existence and our annual meetings—have become known, and that knowledge has been received in the various cities of the country and has stimulated the formation of similar organizations there, and the consequence is, that there are now, as some of you have learned from the report of the Secretary to-day, over two hundred and fifty societies—separate municipal organizations—in the various cities of the country, all having substantially the same object which we have in view.

In the next place we have printed two volumes of our proceedings, containing the various reports that have been made, the papers which have been read, and the addresses which have been delivered. They constitute, we think, a valuable mine of information, now resorted to by all persons who are making municipal affairs the subject of study, resorted to by those who are endeavoring to bring about improvements in particular cities and, indeed, by all who are interested in the great question of municipal government.

Nor, has the benefit or advantage by any means stopped there. Since our first meeting, since the formation of this League—I will not say solely in consequence of the formation of the League—that would be too much—but, I think, I can say without any sort of exaggeration that since the formation of the League, and in very large measure in consequence of the interest which was stimulated and awakened by it, there have been great practical gains made in many of the larger cities of the land. The enterprise has brought forth, we think, immediate fruits, and fruits abundantly sufficient—more than sufficient—to repay all the labor that has been expended.

Let me refer, for an instant, to the réforms which have taken place in many of our principal cities. Take the city of Boston for instance. There, a very large interest has been felt in the question, and very active societies, in communication with our

own, have been established with a very decided effect upon the municipal condition. They have induced amendments upon the largest scale to the charter of the city of Boston. They have disseminated in that city and implanted deeply in the minds of the citizens the truth, that in this matter of the administration of our municipal affairs national and state politics must be put aside, and that the men who are to be put in office, of whatever party, must be men most capable and most disposed to administer faithfully the great trusts which are reposed in them.

Take the city of Chicago. I suppose, naturally enough, considering the prodigiously rapid growth of that great metropolis, the city of Chicago has struggled under difficulties probably greater even than those of the city of New York, and the extent of misgovernment of that city, the extent to which the public cause, the public revenues, the public utility have all been prostituted—I won't say at the foot of party, but infinitely worse than that—prostituted at the foot of faction, of personal ambition and of private gain almost exceeds belief.

Now, a year ago, the people of that city made an effort in a direction, greatly encouraged by us, and which constitutes one of the chief avenues through which we hope to gain the benefits which we have in view. The people of Chicago undertook, under a law of that state, to give to the city the benefits of civil service reform, to have a system of appointment to office, founded upon merit, and merit alone, established, a thing which they had the right to do and the power to do if they could only gain a majority at a popular election in favor of it. Stimulated by the rising tide of the sentiment in favor of municipal reform, feeling the force of the universal conviction which was everywhere spreading, the good citizens of Chicago addressed themselves resolutely to that cause, and, as you are aware, a year ago they carried an election upon the question whether civil service reform should be adopted in the government of the city by a majority of some fifty thousand votes. That is an achievement worth having. That is an achievement worth remembering and worth recording. It is not ours, but we have helped to win it.

Take the city of New York, my own city. All of you know, of course, the wretched condition in which the municipal government of New York has been for many years sunk and was, until a comparatively recent period. An election came on in the year 1894 for the office of mayor, and inasmuch as in the city of New York the mayor has the appointment of nearly every important officer, the appointment even of the great heads of departments, those who have control over the whole business of some particular part of the administration of the city, such as the Department of Public Works, the Department of Police, the Department of Street Cleaning or the Department of Health, he has in his hands the power to affect for good or evil the whole administration of the city, and this enables the citizens of New York, if they will, at one stroke, by the election of a proper man for mayor, to reform the whole city administration. The people of the city of New York had become aroused as they never were before, upon this municipal question. Stimulated in great part by such organizations as the City Club, over which I have the honor to preside, and which was engaged in constant efforts to array and unite the citizens in one body upon questions like this—taking advantage of that state of feeling, a union was invited between all organizations, political or reform, which were opposed to the corrupt *regime* which had theretofore dominated in the city—I mean Tammany Hall—and finally brought about upon one set of candidates, and although Tammany Hall had usually carried the city of New York by a majority of sixty thousand or seventy thousand, yet through this union of forces, the people turned out and scattered to the wind that corrupt organization by a majority of more than fifty thousand.

Now, I must ask your attention for a moment to what was accomplished by that single effort, not a perfect one by any manner of means. It was not a union between honest and true men, all of them having the prosperity and welfare of the city alone for their motive. It was not quite that. It was a union of the Republican party, of one portion—one faction—of the Democratic party, and other factions in the Democratic party—

a union of men, many of whom were not at all in favor of municipal reform, but who, for the purpose of getting some success, which they otherwise could not get, were driven into uniting in that movement. It is always a great disadvantage to an officer, like a mayor, to have been elected by a combination such as that. He cannot quite feel that he has the moral power behind him proportionate to the majority that pushes him in. He knows the materials of which it is composed. He knows the expectations which some of them entertain and it is not in human nature to altogether disappoint expectations which have been thus raised. Therefore, whatever shortcomings there may have been in the administration of Colonel Strong, the present mayor of New York, and there have been many, I think they are all to be attributed to the fact that the people who elected him were a combination composed of, in some respects, rather inconsistent elements. I attribute them to that and not to the man himself, who is one of the best and truest of men. But in most respects he has done excellently well, and placed, for the most part, at the heads of the principal departments of the city government men whose only motive was honest administration of their trust.

Take the Department of Street Cleaning for instance. Why those who have been in the habit of going to the city of New York in times past and visit it now, must see at once that the face of the city is changed, absolutely changed, in the period of one year. Prior to that time three-fourths of the space in the streets in the lower part of the city were occupied every night and all day Sunday as a common storehouse—a stabling place for an innumerable multitude of carriages, wagons, carts and all manner of encumbrances, gathering filth wherever they were, and encouraging the most vicious practices everywhere. But that thing had existed in the city of New York as long as I can remember and very many years longer. Complaint has been made of it a thousand times. Law after law has been passed making it unlawful for those encumbrances to remain in the street, and yet there they have remained. Why? Because you could

never get an administration into power that had not sought for the aid and support of the owners of those vehicles and encumbrances, and, of course, under implied promise that they should not be molested. Mayor Strong placed at the head of the street cleaning department a very efficient man, whom, perhaps, you will hear here to-morrow, Colonel Waring. He had made no promises to any one. He was no politician bargaining with the leaders of a national party for future support. He was a man free to do his duty, who had an ideal before him how his duty should be discharged and meant to reach it, and those encumbrances went out of the streets straightway, and to-day you can go from one end of the city of New York to the other and not find one. The streets once clear of encumbrances, the business of cleaning them commenced and the streets of New York to-day are as sweet and wholesome as your own door yards.

Now there is the gain made at one single election by the triumph of the principle of municipal reform; only an example and illustration of what it is in the power of the citizens of any city in this country to do at any moment by a simple combination, for their united strength is sufficient to accomplish anything they desire.

Take the old department of police in the city of New York. Before, it was in league everywhere with the violators of the law. Nobody, I may say, was punished for violating the laws—I mean the smaller laws—they were not all of them very small either, or unimportant—but nobody was punished for such violations if he had influence enough, or hold enough, or, to use the vulgar word, *pull* enough upon the power in existence. But the honest man, who would not descend to such methods, felt the full force of the law until he was crushed into subserviency. That was the condition of the police of a great city. Formed for securing order, established to enforce the law, they were everywhere in collusion with the violators of the law. There are at the head of that body now men of courage, men of energy, men determined to do their duty, struggling under the greatest difficulties, for they cannot dismiss this great body of police; they cannot

at once reform it. The work is slow, but still the improvement has been begun, has been rapidly advancing and is now everywhere manifest. And so on in nearly all the departments there is great improvement, although it is not so marked as in these departments.

Now here is a great municipal triumph, won against the most powerfully-organized political municipal machine anywhere in the United States, won without any very great effort, won simply by successful attempts to unite the people of the city, the honest people of the city, those who desire nothing but better government, in one body for the purpose of reform.

In the city of New Orleans, also, very great progress has been made, which has been detailed here to-day. The same is true of the city of Galveston, in Texas, and in many of the great cities in the West; and, I may say, that there are none of the large cities in which there have not been improvements, to some moderate extent, as a consequence of the awakened interest which we are engaged in exciting and arousing. So much for what we have done.

Now as to what our purposes in the future are. They have not at all changed. They remain as they were. Our main purpose is still to continue to arouse the public interest, to still widen and deepen the conviction that our municipal mischiefs should be and can be remedied; to induce everybody, who is well disposed, to give their efforts to this good cause. That is still our main object and purpose. These annual meetings we still find as useful as before. We are gathering together line after line and line upon line, the fruits of the experience of different cities, and the results, as heretofore, will still continue to be published and receive wide circulation and dissemination all over the land. We have, I think, as the fruit of discussion among ourselves, and in consequence of the unanimous voice which comes to us in the reports from every city detailing municipal mischiefs and the origin of them—we have, in consequence of these unanimous reports from every quarter—finally come to the conviction that the root of the whole trouble lies in

the close alliance, of which I have before spoken, between the leaders of the state and national parties and the manipulators of the municipal votes. There is the root of the disorder, and consequently we have come to the conclusion that the true line of action to be adopted everywhere, at some time or other, according to the circumstances, which may differ in each case—that the true line of action is to banish, absolutely banish, from state and national politics the whole subject of municipal affairs. They have, in truth, no connection with each other whatever, none whatever. Municipal politics have no connection with, or relation to state or national politics, nor have state or national politics any relation to municipal politics. What difference is it, let me ask, whether the man who paves and sweeps your streets is a Democrat or a Republican? What difference, let me ask, is it, whether the man who superintends your schools is in favor of Free Trade or in favor of Protection? What difference is it, whether the mayor who presides over your whole municipal administration believes in this particular national doctrine or in that? Every one must see—no one can deny—that state and national politics have no proper concern with municipal affairs, and that they are drawn into municipal affairs only for the purposes of mischief. The fault is not altogether that of the municipal spoilsman. The fault lies, I regret to say, among men of a higher class, who ought to have higher purposes. I must be allowed to express the belief that what we call the great statesmen of our country are largely at fault in this matter. Those who aspire to be Governors, Senators and Representatives in Congress, and even Presidents, I am sorry to say, are found subservient to the great municipal bosses. They feel that their election, their advancement, their progress, the success of their ambitions, depend upon whether they can obtain the aid of this man and of that man, and consequently they do not scruple to receive that aid, and they can never receive it except upon condition of rewarding it. No man can receive the aid of what he knows to be a corrupt political boss—no man aspiring for the office of President, Governor or Senator can go to such men

and ask for their assistance without entering into a tacit contract with them to return the favor. Therefore, I say that one of our efforts should be in effecting this separation between national and state and municipal politics to make it known, to make it widely known, that we want no man in the high places of honor who seeks to obtain it upon conditions like those. Those men best deserve our elevation to those high places who are unwilling to accept them under such degrading conditions.

Now, therefore, Ladies and Gentlemen, you will see that this separation between municipal administration and state and national politics is not useful simply and alone to the municipalities. Its utility, its advantage and its blessing would be experienced equally by the great political parties themselves. What is the reason now when a party obtains a national success and has seated its president in the chair, and has a majority in both houses of congress, that it is not able, as it often is not able, to pass even those fundamental measures which are the great features of its policy? It is because there are found among its ranks men who are unfaithful even to their party ideas. And why are they unfaithful to partisan principles? Because they were unworthy men in the first place, and because, in the next place, they have other obligations which they have come under in order to get into the places which they hold. Once separate municipal politics from partisan affairs, remove them entirely beyond their control, persuade or command the great political parties to make no municipal nominations, as they ought never to make them—once persuade them to do this and the whole political atmosphere in state and national politics, itself, is purified. An immense advantage is gained there. I need not tell you how great the advantages would be to the municipalities themselves. They would be rid almost altogether of the spoilsmen, these men who pass their lives in learning the various arts by which votes are *brought out*, as they say, which sometimes means how votes should be *manufactured*, or how votes should be counted without being cast. All such men who practice these arts for a livelihood would be dismissed. Munic-



ipal contests would take place upon municipal questions. When candidates were nominated they would be nominated by reason of their supposed greater familiarity, greater mastery, greater capability, in respect to municipal affairs. And we see that when any real improvement is made that this is in this way. We see when any real improvement is actually effected it is always effected by dismissing partisan considerations. It was so in New York. Partisan considerations were subordinated, and then we gained, not all we wished, but a great part of what we wished; and so it is everywhere. All these political changes which result in these improvements come from an appeal to the non-partisan sentiment of the people.

Now, that is one conviction which I think the Municipal League has firmly settled in its own mind, that here is the root of the evil, and here is the place to apply the remedy. There is one other principal remedy which goes hand in hand with that separation—is, indeed, almost part of it—and that is the merit system in appointments. You will see, of course, how effective, how deeply effective that is.

In the first place when men are appointed to office for merit alone, the advantage you gain is not simply in having a faithful man to discharge the duties of the office who has no other object in view—that is not the only advantage. You have gotten rid of a man who was there before, not to discharge the duties of his office, but to prostitute them for the benefit of the party; and in the next place you have taken from the machine managers, in a very large measure, their means of support. What they have lived upon heretofore is the promises they have been able to make that, in case of success, this and that office should go to that man and his followers and heelers, and this other office to this man, and his followers and heelers. They have now no longer those places within their disposition. The occupants are to be determined by merit alone, and there again you have hit the common enemy a most effective blow. So, even if we could get no further, by adopting, wherever we can, the merit

system in making appointments we shall have achieved a most decided advantage.

In connection with this separation of municipal affairs from general politics the question arises, what are we going to do in times of elections? We say, take national and state politics out of the way; but suppose state and national parties will not be taken out of the way, what are you going to do? Well, there are two things to be done. In the first place pay no heed to partisan considerations at all. If you have no other choice than that between two candidates, one nominated by one party and the other by the other political party, vote for one or the other; because to vote in any other way may be to throw away your vote. One may even be prepared to do that, for one may feel sometimes, I think, it may be best to lose the effect of his vote; but vote, if you vote at all, for the man whose character and whose antecedents furnish you with the best guarantee that he will be faithful to the trust committed to him, absolutely, without reference to the political name by which he is called. Count that absolutely for nothing! Let the political leaders thus know that if they expect your support they must put up the best men they can find.

Now, that won't always work; for those political spoilsmen in the two parties are all really united together, as far as we are concerned. They really stand together; it is only when they are haggling over the offices that they are divided—but their principles are the same. They are brought up in the same school. Their principles are the same, and they would just as lief be on one side as on the other, but they will always be found on that side which furnishes the greatest possibility of success. They will say to each other, "You put up your man; he may be bad enough, but we have one to match with him. Let these fellows who talk about reform choose whichever they please; if they take your man you will get the spoils and if they take our man we shall have the spoils." That is a condition that is frequently presented to us. In view of that condition we think it is the part of wisdom everywhere for men who believe in this

separation of national and state politics from municipal affairs, who are struggling for municipal improvement, to strive more and more for a union between themselves upon their own grounds, upon their own platform, with an organization of their own, to the end that they may nominate and elect their own candidates in defiance of both parties. That never has been permanently done yet in this country. I believe it will be done; I believe it will be soon done; and I shall never be satisfied that it will fail as a remedy until it has been fully tried.

We know that the well-disposed citizens are a vast majority over those who are ill-disposed. We know the problem would be settled and solved at once if you could get the good men on one side and the bad men on the other.

Now, Ladies and Gentlemen, these are the views, these are the conclusions, which the National Municipal League has, in the main, come to, I think, although it has never settled upon them by any formal resolution.

Now, citizens of Baltimore, we have something to ask of you. You know what that is. It is to take hold of this work and aid us; or, if you have already taken hold of it, as you have, to take hold of it still stronger and to aid us the more. Baltimore occupies a very conspicuous place among the great cities of the land, and you hold and wield an enormous power for good. That power for good, we hope, will be placed decidedly, emphatically on our side. We hope that all of you, in such manner as may seem to you best, not necessarily by joining the Municipal League, but by joining efforts somehow—join that if you will—will do what you may think calculated to carry out the same end. Put yourself in communication with the great awakening which is going on all over the country, and contribute your part to aid it and to give it additional power. Begin to labor for actual benefits in your own city, another most effective way of aiding this reform. Familiarize yourself with your city government. Ascertain how its powers are distributed and through what offices they are exercised. Acquaint yourselves with the names of the men who fill the offices and inform your-

self as to the manner in which they are discharging their duties. Keep close watch on their conduct. Denounce them if you find they are betraying their trust. Praise them for their good work. Stand up for them when they are unjustly assailed. In other words, perform the duties of good citizens, for all these things are embraced among the duties of good citizens.

We sometimes think this is a narrow work. Our patriotic emotions are excited and aroused more easily, perhaps, by questions which affect national politics and affect the interests of the whole country, and its relations with other countries, and we think, sometimes, that this alone is what is called patriotism. But that is not the true view, I apprehend, to take of it. What is patriotism? It does not consist, as I conceive, in cursing foreign nations and foreign peoples, swearing that your own people and your own country are the best, the brightest, the bravest and the handsomest that ever lived. That is not necessarily patriotism. Patriotism is said to be, and is, the love of country; but how can that feeling be called forth and stimulated except by having, in the first instance, a country to be loved. Make your country lovable and there will be no difficulty about patriotic emotions arising in your breast. And in what better way can you work to make your country lovable except by making these great cities—that sometimes get to be such blots upon the fair face of creation—except by making them the real centres of virtue, intelligence, charity and all manner of usefulness, as they can be and ought to be made?

Our work touches rather the cities than the country. We must narrow our attention to these little municipalities; if it be narrowing them. There was formerly a time in which cities were thought to be, as it were, plague spots, and the country was supposed to be alone the residence of virtue and morality. I remember an old-English poet once said,

“God the first garden made, and the first city Cain.”

Well, if that were ever true, it has long since ceased to be true. Our cities are great swarms, great hives of humanity, and while the more vicious and degrading sentiments are developed there,

the higher and more ennobling sentiments are found there also, and in a vastly greater degree and in greater proportion. And as our cities grow larger and larger, as their affairs become larger and larger, they may be made more and more the centres of light and goodness, and the salvation of the country is more and more dependent upon them.

This duty to engage in the work of municipal improvement is a duty in which all of us can engage alike, without any distinction of sex and without any contentions between the sexes either. There are some questions which we never touch in our Association, upon which the sexes are supposed to be disunited; but upon the particular questions in which we are interested, there can be none more interested, certainly none more capable of intelligent action, than women. It is their work peculiarly. They know far better than men what is neat, what is tidy, what is cleanly, what is proper, what is comfortable; and they can appreciate in the city as well as in their own household; and they have a power of action, if they would only employ it, in removing these evils, which would be everywhere effective and decisive if it were thoroughly employed. I have spoken of the advance which street cleaning has made in the city of New York. We all know there how much we are indebted to the labors and efforts of Colonel Waring; but he, I have no doubt, would be the first to declare that the original impulse which has led to that great reformation was first indicated and made effective by one woman. It was her work. Not by haranguing audiences, not by making herself especially conspicuous, but by going to the men in office, and out of office, who had power and influence and persuading them of their duty in the matter—in other words, by making the men ashamed of themselves, which a woman can always do when she tries. It was she who pointed out the measures necessary to be taken to ascertain the length and breadth of the enterprise involved in the cleaning of the streets in New York. It was she who compelled the men to put into the form of law the requisite conditions for the work, and forced them through the Legislature, and who saw that the

force was created, organized and set in motion, which was adequate for the purpose.

And let me say to those who are disposed to take hold of this work and give it their aid, that when they have once taken hold of it, not to set it down. When your hand has once been put to the plow, do not turn back. Do not anticipate too much, for you will be disappointed. The Almighty has so ordered it that, in this world, all good things, which come to stay, come very slowly, and we should be satisfied if there is slow progress in this reform. We shall not bring it about next year, nor in the next five years, nor in the next ten years. If we bring it about in our lifetime; nay, if we make a substantial approach to it in our lifetime, we shall have done, I will not say enough, but we shall have done enough to reward us for all the labor we have expended. Civilization advances slowly. It is for each generation to do its own duty, and not to suffer a cause to slide back, but to put it forward some steps and to keep it there. Therefore do not be dismayed by difficulties, but take hold in your own city. Do not content yourselves with coming to the annual conferences and contributing the aid of speech. That is all well enough in its way, but form active organizations and conduct your fight in your own city. You have no conception of the extent to which you encourage and animate others by the success you may achieve here. We heard this afternoon—and I listened with the greatest attention to it—the recital of your recent struggle here by Mr. Howard. It was very interesting, and it brought back to my mind the interest with which I watched it while it was going on. We watched it in the different cities; we watched it, day by day, and we knew what kind of a fight you had to make. We knew it was a desperate struggle. We knew the chances were against you, but we hoped for success. We watched it with something of the same emotion that your own fathers and mothers watched that fight for the fortress that guards the entrance to your harbor. We watched you, as they watched through that night, and

when the news of your success came we felt like breaking out—as your fathers and mothers did—

“’Tis the star spangled banner, O long may it wave.”

If we want encouragement for this work we have only to look to history and we see that civilization never goes back. It goes slowly, sometimes very slowly, indeed. It wants active and affirmative help, and we can advance it almost as rapidly as we will, if we only give it that aid; but still, it does not go back, and we need not be afraid of that. The cause goes on. We may not observe its progress from day to day, but we can easily see it if we compare distant periods of time.

Take, for instance, this very matter of the condition of our cities. We know what they are now; but we do not think always of what they were once. London is now thought to be a great and beautiful city; not perhaps what it ought to be, but still it is so considered, and is, when compared with what it once was. I remember two lines of Pope, which give us a somewhat graphic picture of the sights and smells which one met with in what was the heart of London something more than one hundred years ago:

“To where Fleet ditch with disemboгуing streams  
Rolls its large tribute of dead dogs to Thames.”

Such were the spectacles to be seen in London at that time. Well, you could have seen the same thing in many American cities a short time ago; but we have passed beyond that now.

This progress will never be reversed, but we must carry it forward, and carry it forward still more rapidly. For that purpose, Ladies and Gentlemen, we wish your aid. I hope that you will take hold of it with increased ardor, animation and zeal from this time; and you will allow me to indulge the expectation that some further effort in this direction, fruitful for good to this city and to the other cities of the land, will be started here and be dated from the Annual Meeting of the National Municipal League in 1896.

## A YEAR'S WORK FOR MUNICIPAL REFORM.

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A year ago we took occasion to felicitate ourselves upon the great advance that had been made by the cause of municipal reform during the preceding decade; and especially since the organization of the National Municipal League at the Philadelphia Conference for Good City Government, where the leading workers of the various local bodies met for an exchange of ideas and experiences. At the present meeting we may be permitted to felicitate ourselves upon the fact that this great cause in which we, who are here gathered, are specially interested, has not only held its own, but has maintained the rate of progression which a year ago was regarded, and rightly so, as marvelous and unprecedented in reform work.

It seems to be settled definitely that the movement for good city government has come to stay. For a time it appeared to many to be of a spasmodic and temporary character. Now, however, that the first stages have been successfully passed, and the numerous organizations which sprang up with great rapidity, are settling down to steady and conscientious endeavor, we must revise our judgment. We cannot escape the conclusion that the necessity for municipal reform is so general, so urgent, so emphatic that these reform bodies, although in many instances hastily organized, will not retire from the contest. The situation is somewhat analagous to that which confronted many of the regiments organized for three and six months' service on both sides during the late war. After the men had once enlisted, they did not care to retire from the contest so long as the object



they sought was unattained; so they continued in the fight until the end.

It is something that the movement has held its own. It frequently occurs in the development of great reforms, that a period of unusual activity is followed by one of comparative inactivity. The latter comes as a natural reaction. The progress chronicled in our last annual report was remarkable and quite without parallel. It was then noted that in every section of the country public-spirited citizens had formed associations to combat municipal evils and inculcate higher standards of citizenship. This year it is our privilege to report that most of these associations are still in more or less active existence; and further, that there has been an increase of 65 per cent.

It will prove of interest, no doubt, as well as instructive, to compare the results of an examination of this year's roll with those of 1894 and 1895. We are entirely dependent for our figures upon the lists prepared by the National Municipal League, which, however, are by no means complete. In fact there is a much larger number of bodies than we have any record of; and if we err it will be upon the side of moderation and omission; rather than upon that of exaggeration and commission.

Now as to the figures. In the North Atlantic group in 1894, there were 27 organizations; in 1895, 79, and in 1896, 121; an increase of 451 per cent. in two years; and this despite the fact that the good citizens of New York City, because of a difference of opinion as to minor details, permitted a division of their forces in the face of the enemy, and thereby enabled the latter to gain a victory, which, although not very rich in offices, was of very considerable importance in the way of prestige. In the South Atlantic States there were two organizations in 1894, both to be found in one city; in 1895, there were 13, distributed among three States; and in 1896, 17 in five States. The Northern Central States in 1894 had 14 to their credit; in 1895, 54; in 1896, 78. In the Southern Central States in 1894, there was not a single reform body; or any organization devoting much time or attention to any phase of the municipal prob-

lem. In 1895, however, there were seven, and in 1896, 15 associations working strenuously for a betterment of civic affairs. In the Western group the one of two years ago, grew into the 23 of 1895, and the 36 of 1896.

New York State still maintains its lead with 49 organizations, with New Jersey following with 28, and Pennsylvania with 17. Ohio with 15, Illinois with 13, and Wisconsin and California with 12 each, come next in order. Indiana and Colorado have 10 each; Massachusetts, Maryland and Minnesota, nine each.

Mere figures, however interesting they may be to the statistically-inclined, do not tell the whole story. I should far exceed my limit should I attempt to describe the activities and accomplishments of the 267 enrolled bodies. It is impossible even to indicate their general scope. We must content ourselves with a brief reference to the more notable events of the year; the achievement of the more aggressive bodies, and the general outlook. Mention of the work of any one or more associations must not be taken as a mark of invidious distinction.

Were the time and space at my command nothing would please me more than to refer in detail to what each has done during the past year to justify its existence and to advance the cause of better methods and higher ideals; but we must leave to another time and place such a minute portraiture as may be desired by some. We cannot in the present instance do better than adopt the methods of the impressionist.

The old New England States, the land of the town meeting, and the home of progressive political ideas, have kept pace with the rest of the country in developing a sound and healthy interest in municipal affairs. Boston as usual is the centre of activity. Its Municipal League has for the present confined its efforts to securing several much-needed amendments to the charter. The Legislature of 1895 passed its bills making the Mayor's term of office two years instead of one, and substituting single commissioners for boards. This year its efforts have been directed to pressing the bills providing for proportional representation and a single municipal chamber. The innovation of Mayor Quincy

in appointing an Advisory Committee of five well-known business men to suggest needed legislation and municipal action, must not be lost sight of, because it represents a departure from old-time conceptions of municipal administration. Mayors are apt on taking office to express a desire for the support and co-operation of business men, but rarely take any steps to enable the average citizen, who is diffident about giving his advice unsought, to carry out this idea. Mayor Quincy's Committee bridges over this difficulty and opens up an avenue of approach which ought to prove of undoubted value in the development of the higher life of our cities.

The most important event of the year in New York State was the appointment by Governor Morton of two well-equipped Commissions to report uniform legislation for cities of the second and third classes. The Commissioners conscientiously performed their arduous duties and submitted to the Legislature, after mature deliberation, two bills, which have received the high praise of students of the question. Whether the work of the legislature will receive the same commendation remains to be seen.

The political activities of the New York City organizations last fall did not have the outcome anticipated. On the other hand the results, though disastrous and discouraging, did not have the far-reaching effect some thought they would. It is of interest to learn that the City and Good Government Clubs do not propose to retire from the field. Naturally, the Tammany victory of last November had an untoward effect; but what more could be expected when the so-called reform organizations of a year before, such as the German-American Reform Union, went over to Tammany bag and baggage, because the Police Commissioners had determined to do what their oath of office required them to do: to enforce the laws, including those relating to the excise.

While recognizing the undoubtedly great work done by the New York press in 1894 in exposing the iniquities of Tammany misrule, it is difficult to escape the conviction that their interest in the complete reform of the condemned abuses was but skin

deep. Otherwise how can their fierce and unfair onslaught on the various officials of the present administration be accounted for? Surely the enforcement of law lies at the foundation of good government. If the legislature mistakenly enacts a bad law, it is not within the province of an executive officer to correct the law, unless clothed with the veto power; such, however, was not the case in New York. The defeat in New York is to be regretted, because of its possible effect on other communities. While Boston, Philadelphia, Baltimore, Chicago, New Orleans, St. Louis, San Francisco have great influence not only in their respective localities, but throughout the country, the hegemony of New York is undisputed and gives an added importance to efforts like that made to overthrow Tammany. If New York succeeds in solving the municipal problem, there is no reason why every other city should not succeed in casting off the shackles of corrupt, extravagant and inefficient government.

In Philadelphia the Senatorial investigation, prayed for by the Municipal League and Citizens' Association, and carried forward under the direct supervision of the latter, while of value in confirming many of the charges heretofore made against some of the departments, has thus far failed of accomplishing any very large amount of good, because it has been controlled too largely by factional animosity and for factional purposes. That good may follow its work in the way of remedial legislation is possible.

The Municipal League has largely increased its membership (to over 5000), and its ward organizations (to 25). In February it conducted a most aggressive campaign designed to improve the personnel of Councils, without, however, accomplishing its end, although 20 out of 64 of its candidates were elected; but as there are upwards of 150 Councilmen (counting the members of both branches), this number can only be considered as a leaven, which, it is to be hoped, together with the few good men elected in previous years, will "leaveneth the whole lump." An extended effort to secure the passage of some much-needed legislation will be made at the coming session of the legislature,

and more attention than ever will be given to the educational work of the League, its experience demonstrating this to be absolutely needful.

One of the most noteworthy achievements of the League (the Twenty-ninth Ward Association taking the initiative) was the unseating of one A. J. DeCamp, who, while serving as general manager of an electric lighting company supplying electric lights to the city under contract, had himself elected to a seat in Councils.

Throughout the South an awakening to civic consciousness is to be observed. There is scarcely a city of any size or importance that does not contain a group of public-spirited citizens studying local conditions and working for their improvement. Although Baltimore, New Orleans and Galveston have thus far displayed the greatest activity, other cities, inspired by their example, are aroused and in another year will be found not far behind. Last November a reform victory of considerable importance was won in Baltimore (the Reform League and Good Government Clubs leading the forces), by which Senator Gorman and the corrupt Democratic ring were overthrown; but subsequent events have shown that this was the chief fruit of the victory, except the election of Mayor Hooper, who has more than fulfilled his ante-election promises and the early submission of a civil service law to the people for their approval. The events teach this lesson, however, that the advocates of good government are not fighting Republicans or Democrats as such, but professional politicians. In every city there are two parties—the one devoted to the welfare of the community and of the citizens; the other, to its own interests and those of the machine. The latter may be called in one city Republican, in another Democratic, in a third Populist; but its principles and methods are invariably and everywhere the same. The problem at present seems to be how to organize the good government forces so as to make the result of every election uncertain, thereby forcing their opponents to nominate good men and advocate good measures; for if the enemies of good government find that this

is the only way they can retain office, it will not be long before they will abdicate in favor of the people, as office honestly administered and measures conscientiously designed to advance the welfare of the people present few, if any, attractions for the professional politicians.

Last spring one of the most notable reform victories in the South or elsewhere, was won in the city of Galveston, under the leadership of the Galveston Good Government Club. Out of twelve Aldermen to be elected the Club was successful in having eleven of its candidates chosen. After nearly a year's service the verdict of the city is that they have met every ante-election promise at maturity. The city has never been more efficiently governed. Another substantial victory worthy of record herein was the re-election, last autumn, of Hon. George W. Ochs as Mayor of Chattanooga.

In New Orleans, a few days ago, the corrupt ring that had fattened for years on this Southern metropolis, was driven from power under the leadership of the Citizens' League, by the decisive majority of 11,000. The League's fight was for an honest registration, a fair count, a new charter and honest officials. Its victory will have a far-reaching effect, as it carries with it the election of a reform representation to the legislature.

In the Northern Central States a steady activity has been manifested. Public interest has been well sustained, and permanent gains in many localities are to be noted. In Ohio the agitation for uniform municipal legislation has been continued under the direction of the State Board of Commerce. In Chicago the Municipal Voters' League, organized under the auspices of the Civic Federation, elected a number of its candidates at the April election. The Indiana organizations have been principally engaged in securing a fair and honest enforcement of the recently-enacted Nicholson law regulating the liquor trade in cities and towns. The successful outcome of the contest between Mayor Pingree and the corporations of Detroit enjoying public franchises is cause for hearty and sincere congratulation. In Milwaukee the Municipal League's political efforts for better

councilmen and an improved civil service have met with considerable success, and its work in connection with the regulation of municipal privileges and franchises gives promise of fruitful results.

In the far West a decided municipal unrest is everywhere discernible apart from the financial unrest, which has given rise to Populism. The Western communities have devoted so much time and energy to territorial expansion that they have neglected to provide adequately against the evils of machine politics and corruption, although they are in the lead of the majority of their Eastern sisters in testing remedial legislation. While there has been no conspicuous event during the past twelve months, there has been a continuous growth in numbers and influence. The friends and advocates of reform in Tacoma, Washington, are rejoicing over their splendid victory of April last, after a long and arduous campaign, whereby they secured the adoption of a new charter, including with many other admirable provisions, stringent civil service regulations. Over 60 per cent. of the votes were cast in its favor. This fall the citizens of San Francisco will have the opportunity of placing that city abreast of her sister communities by giving her a modern charter in place of its present antiquated system dating from the consolidation of 1856.

The greatest activity along municipal reform lines has been manifested since the formation of the National Municipal League. While it can scarcely be claimed that this has been entirely due to the League, for the spirit of unrest is and has been abroad and would have led to some sort of organized effort, nevertheless, in that the League has brought the whole question of good city government prominently before the people of the country through its annual conferences and its widely-distributed literature, it must be conceded to have exercised a potent, if at times indirect influence, in the civic renaissance which has marked the last decade of the Nineteenth Century. It can and must be said in all fairness to those who have contributed of their time and means to its maintenance and development that its efforts have

resulted in crystallizing reform sentiment throughout the country. The League has not only been influential in creating sentiment, molding public opinion and educating the active workers in new fields, but it has also brought together for conference and co-operation those already engaged in the work. This has been of untold value. The victory attained in Rochester as a result of the new inspiration received by those who had attended the last Conference is a case in point. The delegates from the Municipal Club of that city returned from Cleveland deeply impressed with the great importance and possibilities of the work and firmly resolved to profit by the experiences of other cities. The old club was reorganized and a canvass for new members begun with enthusiasm. Five thousand were enrolled and a vigorous campaign for the election of a reform Mayor inaugurated. Judge Warner, its successful candidate for Mayor, has since amply justified the confidence reposed in him.

Following the Cleveland meeting there was an extended discussion of the various phases of the problem of municipal government and the League's relation thereto. In some quarters there was a disposition to criticise the League and the Conferences held under its auspices because there was nothing further than discussion. To use the expression employed by some of the critics, "the delegates did nothing but talk." One could but gather from a reading of some of the editorials that the League should nominate reform candidates for mayors and other municipal offices in the various cities of the Union, and that a part of its annual duties was to furnish platforms for its affiliated associations. All of which only tends to show a misconception of the true functions of such an organization.

It may not be amiss in this connection to quote from the constitution of the League to show what ends the founders of the League sought to subserve. Its purposes are therein declared to be :

" First. To multiply the numbers, harmonize the methods and combine the forces of all who realize that it is only by united action and organization that good citizens can secure the



adoption of good laws and the selection of men of trained ability and proved integrity for all municipal positions, or prevent the success of incompetent or corrupt candidates for public office. Second. To promote the thorough investigation and discussion of the conditions and details of civic administration, and of the methods for selecting and appointing officials in American cities, and of laws and ordinances relating to such subjects. Third. To provide for such meetings and conferences and for the preparation and circulation of such addresses and other literature as may seem likely to advance the cause of Good City Government."

To the efficient carrying out of these ends, the executive officers have directed their efforts and have succeeded beyond the expectations of the most sanguine. The League has performed a further function in that it has served as a Bureau of Information, answering as best it could with volunteer service, a multitude of questions relating to municipal government and its reform. A great work in this direction is possible if the funds at our disposal would permit. For, although the finances of the League, as disclosed by the Treasurer's report, are in a much more satisfactory condition than last year, much more most valuable work could be done if larger sums were subscribed. Indeed there is no limit to the amount of good to be accomplished in the way of providing a literature. Despite the increasing quantity of books, pamphlets and periodicals monthly issuing from the press, it does not meet the demand for concise and accurate information concerning the many phases of the question.

The reception accorded the Proceedings of the Minneapolis and Cleveland Conferences for Good City Government published during the past year indicates the extent and character of the demand. This book has gone into every leading college and library in the country, and has had a large sale among clergymen, lawyers and public officials. To be sure it has not had as extensive a sale as the latest production of a popular novelist, but it has found its way into the hands of leaders—those who

will make the largest permanent use of it. The experience of the Philadelphia Municipal League, with the Proceedings of the Philadelphia Conference, bears testimony to the same end. The edition has been exhausted and copies can be had only at a premium.

The interest of women in civic affairs continues to grow and develop. Far from having shown signs of lagging behind it bids fair to outstrip that of her brothers. Women have a peculiar aptitude for the work of agitation and education, and as they are coming to realize what better city government means for them and their families; they are exercising their talents in helping to bring about a better day in our municipalities. And this they are doing without any reference to the question of suffrage. For the time being, at least in the Eastern communities, it has been laid aside; in the Western ones it is an accomplished fact. The activity of women has always been essential to the accomplishment of great reforms, and the earnestness and vigor with which they have espoused the cause of municipal betterment is without doubt one of the most encouraging omens of ultimate, complete success.

Indeed no reform of recent years has attracted the attention and support of so many classes in the community as this. Heretofore most efforts involving political questions have been largely supported by lawyers; but in the present instance doctors, clergymen, business men, and latterly the wage earners, as well as the women, are devoting their time and effort to its study and reformation. The demand for the Minneapolis and Cleveland Proceedings and the correspondence of the National League, as well as an examination of the personnel of the governing bodies of civic organizations, demonstrate that the interest is deep, general and constantly growing. It is such evidence as this that must furnish encouragement and hope to the active workers, who always aiming for more than they can gain at any one time, feel discouraged because they do not gain all for which they had hoped; but one who carefully considers the whole field cannot but conclude that there has been a steady advance.

The history of the Civil Service movement should fill the municipal reformer with hope and encouragement, should he at any time feel that his efforts were not meeting with all the success he had expected. Less than 20 years ago he would have been regarded as a dreamer who would have prophesied that in the year 1896 upwards of 56,000 \* places in the Federal service would be protected by the beneficent provisions of a civil service law, with a bright prospect of the remainder being given the same protection in the near future. Yet we have lived to see this and more. Judging from the public interest in its progress, and the emphatic verdict of the people in its favor, whenever they have an opportunity to pass upon its merits, we shall see a still greater extension of the principle during the next decade.

The history of the anti-slavery movement also furnishes the same inspiration. No one in the fifties would have thought of claiming that the vexed question of slavery could—much less would—be settled for an hundred years to come. Less than half that time has elapsed, and it is settled effectively and for all time and to the satisfaction of all parties concerned. And yet preceding neither of these movements—the civil service or anti-slavery—was there such a general or deep-seated or emphatic interest manifested as has been described in this paper. All of which leads to the profound conviction that ere long, despite its difficulties, its complexities, and its ramifications, the municipal problem of the United States will be solved, and American municipalities will lead the world. I have supreme confidence in the ability of the American people to meet and settle great questions. Indeed our national history is made up of accounts of such settlements. That they will fail in dealing with this modern problem, I have no thought. When once convinced of the iniquity of the present state of affairs, they will move with resistless force on the works of the enemy and level every obstacle to the complete accomplishment of their will.

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\* This paper was read on the day that the President issued his order placing 30,000 more offices under the classified service, which would bring this number up to 86,000.

Our work, the work of this League and every organization represented in it, is to hasten the day when the American people will see that our future development and greatness depends upon the rescue of our cities from the hands of the spoilsmen and machine.

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## THE RECENT REVOLT IN BALTIMORE: ITS RESULTS AND ITS LESSONS.

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I cannot here attempt to describe at any length the rise and rule of the despotic oligarchy which for twenty years dominated political life in this city and State, ground down our people, endeavored to crush out independence, cheated us of our suffrage and ate up our substance. My object is rather to show how this Old Man of the Sea, after fastening upon us, was, with a mighty effort, finally shaken off, to draw from a victorious popular uprising such general conclusions as may seem just, such lessons as may be useful and such inspiration and comfort as may be warranted.

Most of you have heard of the Gorman-Rasin ring, a ring constructed upon much the same plan as other successful political machines throughout this country, conducted with great ability and shrewdness by men who understood thoroughly the idiosyncrasies and prejudices of our people which, for their selfish purposes, they played upon and utilized to the top of their bent. This callous and unscrupulous machine was one of the most compact and best disciplined in the country, and had long conducted the affairs of this city and state in utter disregard of higher political principles. There had been desperate revolts against it, notably in 1875 and 1885, but, while the opposition won, it was not permitted to enjoy its victory. Such was the defective condition of the existing ballot laws and the concerted power of the machine that it could, and did, manufacture majorities almost at will. The spirit of revolt, which had been smouldering, broke out afresh in 1895, and the opposition was strengthened and the machine's power of resistance greatly

weakened by the immense number of defections from the Democratic party caused by Senator Gorman's treacherous course in the United States Senate. In short, the summer of 1895 found most unusual conditions of disgust and revolt against existing things, and those who guided the Republican party would have been sad blunderers if they had failed to reap some party advantage from these conditions. It was only necessary that strong and progressive men should be put forward; that it should pledge itself to reforms which the Democratic party had often promised but never carried out; that the campaign should be conducted on a high plane and the conscience of the voter be appealed to. The successful faction in the Republican State Convention seemed to seize this idea. The reactionary element was thrust back. A ringing platform was adopted. Among the most important reforms promised were a new registration and ballot law. The merit system of government was commended, and the question of the adoption of civil service reform was to be submitted to the voters for their decision.

Immediately the dissatisfied elements rallied to the support of the State ticket and, in a somewhat less enthusiastic manner, of the Republican city ticket also. The independent press, an influential portion of the heretofore Democratic press, the reform organizations, the pulpit, a host of discontented Democrats and a large number of Republicans, previously lukewarm, threw themselves with vigor and enthusiasm into the fight for efficient and honest government. The Republican platform studiously omitted any reference to national questions. The effort was to make straight that which was crooked in State and municipal affairs, and it was this effort that attracted attention and aroused unbounded interest. As the campaign proceeded it attained a higher pitch. The fervent and emphatic pledges of the candidates and orators and the popular reception accorded to them acted and reacted in turn upon each other. The moderate and guarded platform utterance as to civil service reform was soon lost sight of in view of the stronger and more emphatic language of those who conducted the campaign. The reformers

took nothing for granted, and numerous queries were put to candidates by Good Government Clubs and other organizations. In such cases the candidates hastened to satisfy the increasing requirements. The practices of the party of reform (for so the Republican party was regarded) were on a level with its professions. Political dirty work and the political dirty worker were obliterated from view. No scandal was whispered. The ignorant spoilsman and practical politician were relegated to the rear.

Curious as it may seem, the dominant party made no noticeable effort to attract the conscientious voter by any appeal made to his judgment, or any serious promise of betterment. Frequently had it promised the electors that reform legislation would be granted, and in each case had it been withheld, but in this instance the so-called Democratic organization somewhat pointedly refrained from betraying any apparent consciousness of the aroused popular wrath and grim determination to secure, in one way or another, a better order of things. The Democratic platform of 1895 contained a very long recital of the aspirations and achievements of the Democratic party in national affairs, but made no pledges whatever except to pass a reassessment law, and closed with a fervent appeal for votes to the end that in the momentous presidential contest of 1896 Maryland might still be found "occupying her high place in the Democratic column." The leaders in the losing cause relied apparently on their latent ability to have counted the requisite number of votes, and showed little anxiety as to any other aspect of the campaign. If the surprising result of the election has had the effect of convincing the politicians that fraud and brute force alone will not determine elections, and that cynicism should be tempered by some appreciation of what the people want, it will be worth, on this score, a large part of what it cost.

In this situation, the pledges of the Democratic party being noticeable by their absence and the pledges of the Republican party to distinct local reforms having gained the confidence of a great majority of the people, the contest narrowed down quite early in the campaign to the question whether the people's will

should be thwarted, or whether it should be expressed with tolerable fairness and accuracy. This was outwardly shown by the fact that the campaign became, comparatively speaking, a silent campaign. Outside of the able and vigorous discussion of the press, it was for the most part a campaign of quiet, resolute, arduous work from the start until the going down of the sun on the day of election. The effort of the party in power was undoubtedly to rehabilitate its waning strength by polling a large fictitious or fraudulent vote; that of the opposition to check, as far as possible, the successful pursuance of these tactics. I do not feel that it is going too far to say that the defensive campaign of the party in power took the form of a conspiracy. Every resource in its power and every advantage of position were fully employed. Being the administrator of the law, it did not hesitate to subvert the law. The policy of the reform opposition consisted largely in showing up each contemplated iniquity and bringing to bear upon it the force of a thoroughly aroused public opinion.

Among the devices employed by the ring I may mention, by way of example, the appointment of a large number of disreputable registration officers; the appointment, as pretended minority registers, of persons not really representing the minority party and protested against by its organization; the summary exclusion of watchers from the registration rooms by the election supervisors, acting with the co-operation of the police, upon the advice of counsel, based on the idea that if one citizen had the right to be present all citizens would exercise a similar right to the obstruction of the registration officers and the work of registration; the enormously padded registration lists and fraudulent striking off of many genuine names; the vigorous use made of a substitution of the word "vote" for "veto," made by the attorney-general of the state who had been employed to codify the laws, thus depriving the minority supervisor of all control over minority appointments, a veto as to which the law wisely intended to vest in him; the advice of counsel to the supervisors of election that such language was operative to take away such



right; the appointment of judges and clerks of election similar in character to the registers previously appointed; the refusal of the governor to remove the majority supervisors on charges of fraud, partiality and lawlessness, and his removal of the minority supervisor, against whom no charges had been brought, and whose main offense was his weak acquiescence in the wrongs committed by his Democratic colleagues; the appointment of two new supervisors (the less guilty of the two majority supervisors having resigned under fire), the minority member being a distinguished civil service reformer and the majority member an old and intimate member of the existing ring, thoroughly in sympathy with the crooked work which had led to the unsuccessful demand for the removal of Mr. Bians, the chairman and evil genius of the board.

I need only refer briefly to the combination and thorough understanding between this new member and Mr. Bians to prevent Mr. Bonaparte, the new minority representative, from getting rid of undesirable election officers before election day; to the efforts made by the Reform League and others to get the Police Board to issue something other than its usual annual instructions governing the conduct of elections; to its manifest unwillingness to do so, but subsequent modification of the instructions under the pressure of a public mass meeting; to the absolutely ineffectual efforts to get the police authorities, before the election, to scare off and break up gangs of election law-breakers known to be in the city and accurately located through professional detectives and other agencies employed by private citizens, a description and location of such gangs being furnished by them to the police; to the unsuccessful efforts of the Baltimore Reform League on the eve of the election to induce the Police Board to promise to arrest repeaters and other election offenders on the morning of the election in cases where offenses should be committed within the sight of the police officers. Nor have I the time to describe at any length the organization of citizens to watch at the polls the operations of the criminals and the conduct of the police on the day of election, nor to com-

mend, as it deserves, the splendid work done by these watchers. Even their work was obstructed by the police authorities, and exception was taken to the published instructions to watchers in so far as they were advised in case they had knowledge of any illegality committed to enter the polling-room for the purpose of protesting an illegal vote or ordering the arrest of an offender. Such right was denied by the police authorities upon the ground that if one citizen had the right to enter the polling place every citizen had the same right, and apparently all at the same time, the same argument which had previously done service during the registration period and had resulted for a short while in excluding the public from a view of what was going on in connection with this important public matter. This portion of the instructions was, therefore, withdrawn by the Reform League upon the assurance of the counsel for the Police Board that communication would be afforded by the police at the polls, which promise was not kept, the result being that communication was cut off between the parties outside who might know the facts and the officers inside whose duty it would be to take action if they knew them. This lengthy, and I fear somewhat tedious, enumeration by no means exhausts the list of obstacles raised by the machine to hinder the free expression of the people's will. They are simply specimens.

In spite of these odds, the battle of the people against the machine went bravely on. A tremendous vote was polled. Thousands of watchers alternated in guarding the polls, shadowing repeaters and watching the conduct of the police officers. Sinister and suspicious looking characters, many of them from distant points, were seen in the line of voters or sullenly hanging around the polls, but were largely prevented from carrying out their designs by the presence of the watchers, whom they cursed, threatened, and in some cases succeeded in driving away. Of the large number of persons who, as a result of the careful shadowing done by the watchers and their persistence in compelling the police to arrest them, had been arrested in the morning for illegal voting, some were released in the afternoon by

the judges, who sat in the criminal court, upon defective commitments. There were numerous assaults of various degrees of violence; organized disorder and intimidation on the part of the Democratic ring; rescues of prisoners in the hands of policemen were not infrequent. Several men were shot, and one killed. This happened within a stone's throw of the place where Senator Gorman, a few weeks before, had made an impassioned speech assuring a number of party workers that they were "in possession and intended to remain in possession," which proved to be a mistaken prophecy, although the Senator's disciples labored arduously that the Scriptures might be fulfilled.

The battle was won by a decisive Republican plurality of 18,000 on the gubernatorial vote, as against a Democratic plurality at the previous gubernatorial election of over 30,000. Baltimore alone gave a Republican plurality of nearly 12,000 votes. The next day the political air was as pure and pellucid as if a cyclone had just ceased to rage. One felt as if the level of political life had been immensely lifted, and one breathed the clear and bracing atmosphere which usually goes with a high elevation. It may be worth noticing now that, at the time of which we are speaking and for months after, there was not a voice raised discordant with the tone that had prevailed during the campaign. The press utterances were unmistakable in recognizing the reform influences which had been decisive in putting a new party into power, and they were strong in reiterating that all campaign pledges should be fully complied with, not grudgingly nor as to the letter only, but good measure, pressed down and running over.

The newly-elected Legislature met the first week in January. For a time no business of public importance was transacted, the gentlemen who were candidates for the United States Senatorship being busy in testing their relative strength and taxing the mental resources of the Republican members in making and thwarting various combinations. After this somewhat tedious matter was disposed of the best energies of the dominant party were for a long while absorbed in the selection of a State Treas-

urer. In the meanwhile the month of January had elapsed, and with it one-third of the legislative session. As yet, however, the discordant note of the spoilsman had not been heard, and there was on all hands a tacit understanding that a civil service bill, prepared by the Civil Service Reform Association of Maryland, and a new election bill, prepared by the Baltimore Reform League, would be embodied into law. But as the time for legislative action advanced, what had previously been supposed to be a tacit agreement began to wear the aspect of an ominous silence. Hitherto both the open and covert enemies of good government had been shamed into silence or paralyzed into inactivity. The reform avalanche had disturbed their mental adjustment. Never had they encountered anything like it. Now, after the senatorial conflict had brought them closely in touch with their fellow-members and demonstrated, by actual contact, the Irishman's aphorism that "there is a deal of human nature in man," they began to find their tongues, and, in Carlyle's phrase, to utter the thought that was in them. One of the first to give it eloquent utterance expressed his attitude towards civil service reform by stating that his party was not going "to despoil the vineyard until it had gathered in the grapes." This exhilarating statement had the effect of making glad the hearts of many of this gentleman's associates, and under its genial influence they found a welcome inspiration. From that time on for a season the spoilsmen continued to grow more audacious and more noisy, so that when the civil service bill reached its third reading in the House the spoilsmen were sufficiently emboldened to defeat it utterly, and the situation was not much mended when, a few days afterwards, they reconsidered their action and passed it, with a referendum attachment, in a form which made it of doubtful constitutionality, a consideration which was absolutely fatal to its chance of adoption. This action was taken with much apparent deliberation, in the face of urgent protests made by many of the most influential citizens of both parties, who took every method to make their demands a potent force.

Nor did the pestilent contagion of spoils politics confine itself within the State House, but, with scarcely any warning, broke out in the City Hall of this municipality. The mayor, who had been carried into office on the tide of the great reform wave, realized the significance of his election, and that its unmistakable meaning called for business, and not politics, in the conduct of city affairs. He therefore plunged himself into the administration of the municipality's affairs, leaving himself comparatively little time to listen to the blandishments of the politicians, or to interchange with city councilmen those agreeable and frequent amenities as to appointments to office, which are deemed essential by practitioners of the spoils system, and as jealously guarded as is senatorial courtesy in the unpopular branch of the national Legislature. His disregard of outside advice soon won for him the bitter hostility of the Council, and as a result of an unfortunate controversy the City Council, not content with the power of confirmation lodged in it by existing law, sought to arrogate to itself the sole power of appointment by the passage of ordinances intended to deprive the mayor of all voice in the appointment of city officials, and thereupon proceeded of itself to fill the offices. This absolutely novel and revolutionary procedure has fortunately, so far, had no other ill effects than to transfer the struggle into the courts (as the mayor has uniformly refused to swear in any of the Council's appointees), and to retain in office some of the discredited officials of the old régime.

But the distressing and humiliating revival of spoils politics in the Legislature proved to be but a short-lived phase in the rapidly-changing kaleidoscope of latter-day Maryland politics. What influences produced the change we need not here stop to inquire, but in the Legislature, before the end of the session, sober and rational second thought had taken possession of its members. Three days before the session closed a bill to bring the police, fire department and public school systems of all towns with 8000 inhabitants under the provisions of the merit system was defeated in the House of Delegates only by

the extremely narrow margin of thirty-eight to thirty-six votes. By the last day of the session the dominant party had redeemed, in a substantial manner, the pledges of its platform. A free school-book bill had been passed, and a reassessment and tax bill adopted, matters which do not especially concern us here except in so far as the exact fulfillment of party pledges constitutes a most refreshing contrast to the conduct of the political party which had lately been supplanted. The registration and ballot bill prepared by the Baltimore Reform League was passed substantially in the form prepared by the League, such minor amendments as were adopted in no way impairing its efficiency. The Legislature is therefore entitled to the credit of having passed a law upon the vital subject of ballot reform, which thoroughly redeems the pledges made in the Republican platform, and codifies entirely our election laws according to the best-considered principles and latest models. For this our political reformers vigorously struggled for a decade. It was worth the fight.

But more than this, in further and final fulfillment of their platform pledges, the Republican House of Delegates passed an act (and, be it said to the credit of the Democratic majority in the Senate that that body adopted this act with scarcely a dissentient voice) submitting to the people of the State a constitutional amendment making the merit system a part of the organic law. This latter legislation imposes a new and practical responsibility upon civil service reformers, and it becomes their duty to see that the opportunity not merely to write the merit system upon the statute book, but to imbed it in our very Constitution, shall not be lost.

In contemplating the actual legislative achievements of this year, the most prejudiced observer will have to admit that immense advances have been made from which there can be no backward step, since it is of the essence of such reforms as we are now discussing that, once achieved, they become the safe heritage of future generations. Like the great charters of English liberties, they are painfully and laboriously created, inch by

inch, but once constructed they remain enduring monuments for all time. So it is with ballot reform. So it will be with civil service reform if it is properly presented to the people of this State, and it may soon be the proud boast of Marylanders that, next to the great State of New York, they were the first to embody in their Constitution the salutary requirement that merit and not intrigue or favoritism shall open up a career in the public service of the State. No one who is familiar with affairs in this city and State can imagine for one instant that had the Democratic ring succeeded in the late election we should have secured such gains.

It may seem to some that, in pointing out the advances which we have made, or hope to make, as the result of our recent revolt I have not approached very near the matters which are of especial concern to a gathering of municipal reformers. It is true that I have not discussed such questions as city charters, municipal taxation, natural monopolies and the best mode of dealing with them, nor many other of the municipal questions which are pressing for an early and intelligent settlement. It might seem at first sight that the reforms actually accomplished in Baltimore, while valuable in themselves, left the condition of our municipal life as helpless and hopeless as before. In reality, the gains which have been made stand in very close relation to all contemplated improvements in the details of municipal administration. Their accomplishment was an indispensable condition precedent, and has both cleared the ground and laid the corner-stone, so that the rearing of the structure of municipal reform may now go rapidly forward. While our elections were determined by force, fraud, bribery or the pressure of a powerful party machine illicitly exercised, of what possible avail was the discussion of any municipal question, except the vital one of throwing off a galling yoke and clearing the way for constructive reforms? Now that we are rescued from the domination of imaginary majorities we are free to grapple with facts instead of having to fight with phantoms. When the merit system shall become an accomplished fact municipal politics will

insensibly be transmuted from being primarily a business of office brokerage into what it should be—the discussion and settlement of municipal problems and management of the city to the best advantage of its citizens. And I am enough of an optimist to believe that the merit system will shortly become an accomplished fact in spite of the momentous changes which will follow in its train.

The recent campaign in Baltimore serves also to mark the progress which is taking place in divorcing ideas of national politics from the consideration of local affairs. If the people of this city have not yet fully learned that municipal affairs rest upon an absolutely independent basis, and should be kept distinct from national and State affairs, at least they have realized, by practical experiment, that a State campaign can be waged absolutely apart from national considerations, which, I think, is a long step towards the goal of the municipal reformer. Never before in this city, except in one memorable case of a judicial campaign when the bosses quarreled among themselves, have national issues been successfully eliminated from a local contest.

The results in Maryland would seem to show that, in some cases at least, municipal reformers can accomplish the best results, in the absence of a municipal reform party, by utilizing some of the various political parties rather than by improvising an organization of their own and appealing to voters to support their candidates. They can thus impress themselves somewhat both upon the platforms and nominations of the several parties, and finally throw their voting and working influence in favor of that organization which affords most reasonable hope of betterment. Recent experiences elsewhere show that reformers have as much a duty in not becoming utterly detached from the voting strength of the people as in thoroughly maintaining their political independence. I am far from attempting to lay down any unvarying rule, for the duty of municipal reformers as to this matter will vary, just as the duty of the individual varies, according to circumstances and seasons, and is to be dictated purely by his conscience, regulated, of course, by good judg-



ment and common sense. Indeed, the independent vote may properly be called the conscience vote, and it is for this reason that its rapid growth is so cheering a sign. To stimulate the sense and conscience of the average voter and direct its activity into proper channels is, I think, the main duty of the reformer. He should be primarily a critic, not, of course, of the carping or destructive order, but a critic of the positive and constructive type. Such critics were James Russell Lowell, George William Curtis, and, in this State and city, S. Teackle Wallis. What these men did in their great way each one of us can help to do in his smaller way, if we only have their honesty of conviction and steadfastness of purpose.

The city of Baltimore is now fortunate in having a very large and increasing body of unbiased, alert and independent voters, intent on good government and determined to have it. They do not seek office, its honors nor its emoluments. They come within the class referred to by Mr. Carl Schurz, when he once said: "To the managing politician the man who wants nothing is the most embarrassing problem." Here we have now a large body of such men who must be dealt with or, to carry out Mr. Schurz's idea, "solved" by the managing politician if he is to continue to manage. These men want nothing and demand nothing, except good government and an end of public scandals. They want these things emphatically, and have at hand a convincing power to enforce their demands. It is this honest, disinterested class which makes for good government, because its interests and desires are bound up on the side of good government. This class, fortunately for our institutions, is a majority in the community. Without it democratic institutions must surely prove a failure. The demonstrated fact that this vote can be educated, aroused and marshaled in such a way as to effectually overcome the force, fraud and subtle machinations of a powerful and unprincipled ring, long intrenched in power and strengthened by spoils, constitutes at once the most valuable lesson and the most useful result of the recent revolt in Baltimore.

## MUNICIPAL CONDITION OF RICHMOND, VA.

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VIRGINIUS NEWTON, Esq.

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No people have been called upon to adjust their corporate life and well being to conditions quite so complex as those about us in this country. Should your deliberations blaze the path that leads to the efficient and economic results we have hitherto sought in vain, the honor and the just repute that follow faithful and unselfish service are yours. No higher reward awaits those whose motives, and whose labors, alike disinterested, are devoted to the general good of the greatest number.

Mr. Bryce, in his masterful work, "The American Commonwealth," regarding our municipal life as the one conspicuous failure in the country, attributes much of its corruption and inefficiency to the administrative control exercised by the committees of the Council, which have the evils of secrecy, irresponsibility and the severance of the several city departments from one another.

An equally laborious student and judicious observer, who has won his way to our attentive consideration, Mr. Albert Shaw, finds the excellence of municipal government in Great Britain in the concentration of all corporate authority and responsibility in a Council, and commends to our adoption this government of a group of men—a grand committee of the corporation, subdivided into just such committees, to wield all the administrative functions of the municipality. He regards the present trend in this country to increase the power and responsibility of the mayor as the plan of a periodically elective dictatorship—a Cromwellian protector—who must eventually swallow the Council, or be swallowed by it.

With the exception that our Council is bicameral, and our mayor (with powers similar to those of English mayors) not a

member of either chamber, we have a city government somewhat similar, in which the unusual homogeneity of its people must act to mitigate the differences, and yet its excellencies are conspicuous in being hid from a candid observer.

Widely different results, under somewhat similar forms, indicate a difference of conditions. The sovereignty of unqualified suffrage here creates the politician of the slums—a potent factor in our misgovernment. There a suffrage, based upon rate paying, totally excludes the slums, and is potently conducive to a self-disfranchisement, which prefers to avoid taxation.

If I have read aright the tenor and weight of your deliberations, they point to the conclusion that such relief from misgovernment as we look for must come, not from the consolidation of municipal power in one chamber, but the rigid severance, within metes and bounds, which is exemplified in our federal and State organization. To the Municipal Council the legislative function solely; to the mayor the administrative function and a correlative responsibility; the application of civil service rules, and, presumably, proportional representation in the Council.

The charter of the city of Richmond was passed May 24th, 1870. Its original form, however immature, was at least simple and direct; but frequent amendments have given it the quality of hybridism.

The officers chosen by the direct vote of the people are: The mayor, for two years; thirty councilmen, five from each ward, for two years; eighteen aldermen, three from each ward, one-half being chosen every two years for a full term of four years; an auditor, tax collector, commissioner of the revenue, commonwealth's attorney, sheriff, city sergeant and high constable, for two years; city treasurer, for three years, and clerks of the Circuit, Chancery, Hustings and Law and Equity Courts, for six years.

The Council appoints a city attorney, city engineer, city

clerk and superintendents for the several departments of gas, water, charities, health, parks, cemeteries and buildings.

The powers of the mayor are the general powers of supervision, and removal for cause, of all city officials, conferred by the constitution of the state, to which are added the powers of a justice of the peace and a veto power on all municipal legislation, which, however, can be overridden by a majority vote of the members-elect to the Council.

Holding the semblance and not the reality of power, the incumbent of this office has become our official figure-head, solely.

The Council, which is bicameral, has the entire control of the fiscal and municipal affairs of the city, and administers its business through standing committees of the two bodies. A majority of the members of each branch constitute a quorum for business, but a two-thirds vote of all the members elected to each branch is requisite to pass appropriations in excess of \$100; impose taxes or borrow money; and no ordinance appropriating money in excess of \$1000, imposing taxes or authorizing the borrowing of money, can be passed by the two branches on the same day; and is invalid unless three days at least intervene between its passage by the said branches respectively. The yeas and nays must be entered on the journal of each branch. The Council is prohibited from appropriating money to, or subscribing to, the stock of any company incorporated for internal improvements or other purposes without a three-fourths vote of the legal voters, and a majority vote of the registered freeholders. The bonded or interest-bearing debt is limited to eighteen per cent. of the assessed value of the taxable real estate, and a sinking fund of one per cent. annually must be created for the debt outstanding.

The charter provides for a Board of Public Interests, of which the president of the Common Council is *ex-officio* chairman. It is composed of three members of the Council, two of the Board of Aldermen and five citizens, three of whom are chosen by the Council and two by the Board of Aldermen. Its

function is to take into consideration all works of internal improvement, the commercial, industrial and manufacturing interests of the city, to watch over and take care of its means of transportation and connection with the rest of the country, and to make such reports and recommendations to the City Council as will best subserve the different interests of the city. The duty of selecting and presenting to the Council the names of citizens to serve upon the Police and Fire Board is also conferred upon the Board of Public Interests.

It is, perhaps, needless to say that the advisory powers committed to this Board are fully honored in the breach, and their chief function is now the selection of the persons nominated to the Council for service as commissioners in the Fire and Police Boards.

The Board of Public Interests is charged with inefficiency and partisan conduct. It is the creation of the Council, and the majority of the Board is of their membership; its demerits and unrepresentative character must, therefore, be borne by that body.

The Police Department is under the control of a Board of six citizens, one from each ward, nominated by the Board of Public Interests, and chosen by the Council on a majority vote of the members elect in each branch. The mayor is *ex-officio* chairman of this Board, but has no vote, except in case of a tie.

The Fire Department is also managed by a Board of six citizens, nominated and chosen in the same manner as those constituting the Police Board.

The Police Commission and the Fire Commission have given good results, the latter particularly so. It has had more scope for development, and having received, under a special provision of the charter, an annual sum not less than the annual appropriation the year preceding its organization, it has maintained the department in a high state of efficiency; more than doubled its number of permanent men, and expended some \$75,000, saved out of its appropriations in the purchase of four new steam engines, one chemical engine, eight new hose wagons,

the erection of a \$10,000 headquarters building, a new engine-house and other real estate for future uses, remodeling its entire plant and overhauling all apparatus not new.

The members of the Council and of the several boards or commissions receive no salary.

The almost entire absence of a foreign element in our population has preserved its homogeneity. The chief complexity in our municipal politics has arisen from the enfranchisement of the negro, but this race, being in a minority, secures representation in one ward of the city only.

We have had some few defalcations amongst the appointive and elective officeholders of the city, but have happily been exempt, we believe, from the corruptions and malversations which have arisen in other cities of the country. Our municipal condition, however, is far from satisfactory. Our administration is neither judicious nor economical. Questions of appropriation do not receive mature deliberation, results in nearly all departments are not the best of their kind, and the disposition of the Council has been, and now is, to exceed annually the current revenues of the city.

The presence of the negro as a citizen and voter enforces the casting at each election of a higher percentage of the full white vote than would, perhaps, under other circumstances, be secured. Civic spirit, or zeal, to secure in ward meetings or primaries the nomination and election of representative citizens to office and to service in the Council, is quite indifferent, if not altogether absent. Professional men, merchants and manufacturers, as a rule, refuse nominations, under the plea of the exactions of time and labor imposed by municipal service.

Those qualified by property interests, intelligence, character and relief from the necessity of an active business career refuse to give service, under an abiding impression of the annoyance and general disagreeableness of the duties and associations of councilmen. We have no exemption from that fearful palsy to civic duty which afflicts the whole country, which enjoys the

privileges of citizenship, such as they are, but claims "the irresponsibility of the subject."

Our Chamber of Commerce, impressed with the apparent efficiency and economy secured in the administration of the Fire Department, by a commission, as compared with that of a committee of the Council, held in December, 1895, a discussion upon the merits of the two methods. The argument, sustained by some experience, led the Chamber to advocate the extension of the commission plan to the Gas and Financial Departments of the city. A Committee of Seven was duly appointed, composed of lawyers and representative business men and taxpayers, to draft and report to the chamber the laws necessary thereto. After two months of faithful and disinterested labor the report of the committee was presented to the chamber, duly discussed in Committee of the Whole, adopted and referred to the Special Committee to present to the legislature for enactment.

The committee held a conference with our delegation to the legislature. The general purposes and features of the bills received the personal approval of the delegation. The committee readily accepted such modifications in the details as were suggested, and, upon the assurance of the whole delegation, that a clause, submitting the amendments to the vote of the people, would secure the unanimous approval of the delegation and its speedy passage through the legislature, the committee so drafted the bills and submitted the same to the proper committee of the house. When the bills came up in committee they were promptly antagonized by the well-defined genus of the ward politician and officeholder, and upon the motion of a member of our state delegation, and under the privileges of courtesy, consideration was postponed for four days that city delegations from the ward clubs might confer with the state delegation. This conference resulted as all such conferences do, and the promised unanimity of the state delegation was made abortive. The Special Committee in charge of the bills promptly declined to make a canvass before the legislature, to be followed by another on the same lines before the people. The proposed amendments

were withdrawn from the legislature and the case was appealed on its merits to the people.

Judicious and beneficial laws, approved by the Chamber of Commerce, endorsed by the Tobacco and the Grain and Cotton Exchanges, ultimately to be submitted to the whole people, were thus stifled in committee by methods not unfamiliar to you, in which the potent influence seems to be in a ratio inverse to the unrepresentative capacity of those who wield it. Great evils enforce great lessons and suggest remedies which may mitigate their effects. Such seems to be the result of our first movement to secure efficiency and economy in our municipal affairs. The unwise and undemocratic procedure of some of the members of our state delegation in its treatment of a matured plan to be submitted to the people has aroused the press and the representative classes of the city to the pressing need of taking charge of their affairs.

A Democratic League for Good Government was promptly formed, to make the issue within party lines, for the exigencies of our politics admit of no other solution. The League has received the earnest support of all classes of citizens interested in the welfare of the city. Its membership quickly reached some six thousand, or more, who have zealously entered upon ward and general organization, with the intent and purpose to make an effective change for the better and secure in our May elections a more representative local legislature, and ultimately a charter more in line with the teachings and necessities of the hour.

The formation of the League has already driven our present Council to a conservatism in its budget, which is commented upon and viewed as a grateful and necessary change of front.

*Addendum.*—The election for a new Council was held April 30th. The League made the issue upon the platform of economy and a more representative Council ticket. Councilmen were nominated and endorsed in four out of the six wards of the city, and their election secured by a decisive vote, thus ob-



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taining a two-third representation in the Council, pledged to maintain the purposes of the League. It must be said, however, in all candor, that, whilst the League received the hearty suffrage of representative men of all classes, it failed to secure to the full extent desired, that personal sacrifice to duty and acceptance of office on their part, without which all such movements can but be regarded as reaching a partial success.

## MUNICIPAL CONDITION OF ATLANTA.

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A. H. DAVIS, Esq.

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The present charter of Atlanta was adopted in 1874, since which time a number of amendments and improvements have been wrought into it by legislative enactment. It probably does not differ much from the charters of many other enlightened and progressive cities. The various departments of the municipal government are clearly defined, and are calculated to act as independently as consists with the central object of its existence—the common welfare. The powers of government are vested in a mayor and General Council. The mayor, of course, is the chief executive, and exercises a veto power on the actions of the Council. He is elected by the people for a term of two years, and is ineligible to re-election. The General Council is the legislative body. It consists of two bodies, the Board of Aldermen and the Council. Two councilmen are elected from each ward for two years, and there are six aldermen chosen from the city at large to serve for three years. The elections are so held that there is a rotation in vacancies by which one councilman from each ward, making one-half of all, goes out every year. Thus each ward is always represented by one councilman of one year's experience and by one fresh councilman. One-third of the Aldermanic Board retires each year, so that it always consists of two-thirds experience and one-third new blood. Though councilmen are elected from specified wards, the whole people elect all of them, which tends to secure better representatives, and, therefore, better government. Another reason for this mode of election will be mentioned presently. Both councilmen and aldermen are ineligible to re-election either as councilmen or aldermen.

The rate of taxation is fixed by the charter and can be increased only in case of emergency. But no such emergency has ever arisen during the twenty-two years in which the present charter has been in force. At the same time the revenue from all sources is barely adequate for running expenses and the sinking fund, so that there is no opportunity for waste or corruption.

The Council can incur no debt beyond the current income of the year. Bonds may be issued for municipal purposes when authorized by Council and by the people in an election held for that purpose. But the whole debt so created cannot exceed seven per cent. of the taxable property in the city.

Any motion to expend the money or increase the debt of the city must be acted on separately by the Board of Aldermen and the Council and receive a majority vote in each body. If such a measure is vetoed by the mayor, to pass it over his veto requires a two-thirds vote of each body acting separately. In all other matters the aldermen and councilmen sit as one body, deliberating and voting together, each member, whether alderman or councilman, having one vote. And in all other matters the mayor's veto may be overridden by two-thirds vote of the joint Council.

The revenue is carefully estimated at the beginning of each administration and an apportionment sheet made out, prescribing the respective amounts to be devoted to each subject of expenditure. In this way is known, before any money is in sight, the exact channel it will have to take, and woe betide the man if any be bold enough to seek to divert it from its predestined course. The purposes for which the city's money may be spent are purely municipal and carefully specified in the charter.

The details of the government are worked out through separate departments, which are to a large extent independent. The Police Board, Water Board, Board of Education, Board of Fire Masters, etc., have charge of the practical workings, each of its particular subject.

The members of these Boards are elected by the Council,

but are for the most part a law unto themselves, under the charter, of course. Most of the chief ministerial officers are elected by the people. An alderman or councilman or other city officer, as a rule, can be nothing else. He is incapacitated from holding any other office—State, federal or municipal. The system of fees for ministerial officers has been abolished, and they now serve for reasonable salaries.

We think we have a good charter; it works well. The people must like it, as there are no complaints of it. It seems to be admirably adapted to our local needs.

In regard to our political condition, the white population act together without respect to party. Probably two-fifths of the population is colored, and in some wards the colored voters outnumber the white, but members of the Council and other officers are elected by the city at large, which realizes the democratic doctrine of majority rule. There is no party in Atlanta. It is said there have been cliques, factions and combinations, but there is no party there.

We have had several rather bitter elections under the State Local Option Liquor Law, which caused a division of the citizens into two great parties—prohibitionists and anti-prohibitionists—but this question has been laid at rest by a very strict and satisfactory regulation of the liquor traffic. That is about the only subject on which there has been a great and serious division among our citizens.

The Democrats are largely in the majority, but we have often had Republican councilmen and Republicans in other offices, from mayor down. But these party lines are not drawn in local matters. The aim of the people is for a good, clean government, and to get this they endeavor to select honest and capable officers and representatives. Our system practically prevents the election of colored men to the city offices, but we have not yet discovered any cause to regret this. But it must not be inferred from this that the "brother in black," as somebody called him, does not have fair treatment in Atlanta. The truth is, the doors to education and the avenues of business are

as wide open to him in Atlanta as anywhere on earth. You would be surprised at the number of excellent schools and colleges located in Atlanta for the education of the colored people, and at the number of thrifty and prosperous men among them, some of whom are large property owners. They serve on our juries, and some practice at the bar and in other professions. The colored public schools, maintained by the city, are taught by colored teachers exclusively.

Regarding the interest taken by the citizens in the welfare of the city, it is universal and pervades every class. Perhaps no better illustration of the public spirit and patriotism of the people can be cited than the recent Cotton States and International Exposition, the scope and size of which made it a wonderful achievement for a city of only one hundred thousand inhabitants.

As to present efforts to improve conditions, they are largely on material, rather than on legislative lines. As before remarked, the charter is satisfactory and produces good results. Among the recent amendments, however, may be mentioned one prohibiting any city officer from holding any other office, state, federal or municipal, and rendering one already an officer of any government ineligible to city office; and another adding one more member to the Police Board. This board not long since was the centre of a sensational political struggle. The board originally consisted of five members. The charter was amended so as to add the mayor as an *ex-officio* member. This made six, and the trouble arose from an even division of the vote, a deadlock, in other words, by which the operations of the Police Department threatened to become demoralized, if not paralyzed. The simple remedy of adding one member has been applied so as to prevent tie votes.

The salaries of councilmen have also been reduced recently to \$300, a nominal compensation for the time and labor the office requires. It is certainly not large enough to tempt any one to seek the office for what there is in it.

In regard to recent material improvements, we may men-

tion the building of two new bridges across the railroad tracks which divide the north from the south side, the establishment of the Grady Hospital, the erection of new headquarters for the Police and Fire Departments, the extension of the sewer system, and of the street paving, the building of the new water works system by which the Chattahoochee River, or so much of it as we need, or will need for many years to come, is poured into and through the city. The city has lately been offered \$2,500,000 for this new water plant, which was refused.

As to suggested improvements in legislation, it seems advisable to extend the subjects, on which separate action by the Board of Aldermen and the Councilmanic Board shall be required. Thus the sale of public property, the granting of important franchises, such as street railways, telephones, electric lighting, etc., ought to be had only upon separate action by the two bodies. This would necessitate greater deliberation in the action of the Council and render it more difficult to fix a vote beforehand on any measure coming before them; and the mayor's veto would be more effective.

There is another matter in which there is room for improvement—namely, the assessment of property for taxation. The city now has three official assessors who are required each year to assess all the real estate. While our rate of taxation is rather high, one and a half per cent., the assessments are low, so that the burden of taxation is not so heavy as it would appear to be. The assessors do their work very well, yet there is great inequality in the assessments. We need some provision for equalizing the assessments. Either this should be done by assessors, or we should have an equalization board.

Taking a general view of our municipal condition we have all the improvements of a modern city—any quantity of fine water at a nominal cost to the consumer; sixty-one miles of paved streets; one hundred and eighty miles of paved sidewalks; sixty-one miles of sewers, including mains and lateral sewers; electric lights; a fine system of public schools; a well-regulated police department and a very efficient fire department.

The city's debt is not quite \$3,000,000, and for every dollar which the city owes she has nearly two dollars of actual property. The rate of interest on this debt has been constantly decreasing; \$400,000 of bonds, issued in 1870-1, and \$95,000, in 1877, bear eight per cent.; \$718,000, issued in 1870, bear seven per cent.; \$55,000, in 1884, bear six per cent.; \$102,500, in 1881, 1885 and 1891, bear five per cent.; \$1,039,500, in 1886, 1887, 1888, 1889 and 1892, and \$46,500, issued in 1895, bear four and one-half per cent.; and \$488,000, issued in 1890, 1891, 1892, 1893 and 1896, bear four per cent. The last issue, in 1896, was to replace bonds then falling due, which bore six per cent., and the whole issue was taken by a local bank at four per cent. flat. Practically, all bonds bearing over five per cent. will mature within ten years and be refunded at lower interest, except such as are paid by the sinking fund. Fifty thousand dollars of the debt was paid off last year.

And last, but not least, under the present charter for twenty-two years, to say nothing of previous history, the city has never lost by misappropriation or embezzlement of its funds. We have never had the "boodle alderman" trouble or any parallel to it. Charges of bribery were not long since preferred against some of the detective department, but the charges were not established.

## MUNICIPAL CONDITION OF NASHVILLE, TENN.

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A. V. S. LINDSLEY, Esq.

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I regret very much to be compelled to say that in the section from which I have the pleasure of hailing there is as yet no organization, such as is now known in so many other of our American cities, as a Good Government Club. The nearest approach we have to this great modern municipal civilizer is a committee of fifteen gentlemen from the Chamber of Commerce in Nashville upon city and State development. Of this committee I have the honor of being a member, and this fact probably accounts for the infliction of my presence here upon you this afternoon. In my capacity as chairman of this committee, I was invited to attend the second annual meeting in Cincinnati last September of the National Society of Municipal Improvement. The members of this Society, as you are all doubtless aware, are the municipalities themselves, or certain ones of them at least, and its organization was an admission coming from the rulers of many of our American cities that municipal affairs all over the country needed reforming.

I also regret that, being only a plain business man, I shall not be able to entertain you quite as well as a practiced speaker or reader might be expected to do. I trust I may be able to make up in earnestness at least what I lack in literary skill or oratorical flourish. May the men, I say, who are hereafter to be chosen to represent the people of our American cities in their City Councils and in the practical management of all city affairs from this good day onward be made to begin—to use a phrase from Matthew Arnold—"to think clear and see straight," to the end that an entirely new era may open up for the government of our cities.



It is said that the New England town government was the best possible form of government that has ever yet been devised, in that it was one in which the people assembled in town meeting, dealt with those matters of local government which affected their common welfare and happiness. If government could always be kept with the people and exercised as in the town meeting, there would exist little danger of serious error. It is only when the voice of the people is not directly heard, when they are obliged to trust the transaction of their affairs to others and rely upon the integrity, patriotism and faithfulness of their servants that the danger arises and the more remote from the people the governing power is lodged the greater the danger.

The great secret then of this fickle illusory will-o'-the-wisp that all of our American cities are now so eagerly and to all appearances yet so vainly chasing in the name of good government is the simple procurement of such representatives where their municipal matters or managements are concerned as will do the bidding of the people. In other words, the secret of good government for cities in the United States resolves itself into the following simple form: The interests of the people must be conducted by those who are entrusted to manage them, with the same wise, careful and conservative judgment that a competent business man should use in the transaction of his own affairs.

All the newly patented up-to-date charters or devices that may be discovered between this and doomsday will not alleviate the condition of our municipalities as long as they are made mere asylums for a certain class of incompetent or unsuccessful fellows to whom certain bosses or political managers may be under either political or fraternal obligations. A city is not a corporation created to furnish lucrative positions to certain men who have been good party workers, or who are mere good fellows and have had hard luck or need a job. It is a live business corporation, demanding the highest order of ability in its servants devotedly bestowed. But I have not been requested to edify the gentlemen who have gathered together here at this, the Fourth

National Conference for Good City Government, with a homily of any particular kind on city government in the abstract. Mr. Woodruff's invitation to me to prepare a paper for this meeting is couched somewhat as follows: "At this Conference we desire to have discussed the question of the municipal condition of Nashville, and we should be pleased to have you consider, first, the present government of your city and its adaptability to local needs. Second, the actual municipal condition so far as it relates to the general welfare of the city. Third, current efforts to change present conditions." Now, it is not to be presumed that our worthy Secretary, who resides in that quiet little hamlet on the banks of the Delaware, familiarly known as the village of Brotherly Love, whose people all live far from the madding crowd, and whose only palladium of liberty is the Pennsylvania Railroad, should have been at all familiar with the municipal history of that mighty, throbbing metropolis of ours on the banks of the roaring Cumberland. If he had been his invitation would have been addressed in different words. He would, undoubtedly, have required me to contrast our present municipal condition with our former one; to state to my anxious listeners whether we were achieving much better municipal results under our new charter than we did under the beneficent provisions of our old one; to magnify the present, as is our general habit in this day and generation, at the expense of the past.

Be it known to all municipal reformers, here present and elsewhere, that the "Nashville plan" is "some pumpkins." It is not only well known within the confines of the section where it was invented, but it has been commented upon in the *Century Magazine*, even if its fame has not reached out for the *Review of Reviews* or the *Nineteenth Century*. Some time in the early eighties a wave of municipal reform swept over our Athens of the South. Our old boards, composed of one alderman and two councilmen from each ward, elected by the people of the ward, gave way to simply one councilman from each ward, elected from the town at large. A Board of Public Works and Affairs was constituted, composed of three gentlemen, elected

by the Council in such manner as allowed one to be chosen every second year. The powers of the legislative and executive branches of the government were separated and sharply defined. The mayor was stripped absolutely naked of all authority, made a mere figure-head and deprived of all remuneration in the way of salary. An engineer and assistant engineer were both put at the disposal of the Board. The city attorney was put at their beck and call so that every time one of the members turned around he could get competent legal advice. There was, of course, a comptroller, a treasurer, a recorder, tax assessors, etc., through the usual list. Our first mayor under the new departure was a patriotic gentleman, who ran for the office upon the distinct understanding that under the terms of the charter the mayoralty was an honor and not a perquisite. In other words, there was no revenue attached. The very first thing the new mayor did after he had taken his seat was to file a bill in the Chancery Court asking that a salary be given him commensurate with the dignity of the position, and this the chancellor proceeded to do, charter or no charter. Since then this unsalaried officer, from whom all power and authority were taken, has been in receipt of a comfortable monthly stipend.

Practically all the executive work of the city, as well as the patronage of the corporation, is at the disposal of three members of the board. They appoint and remove policemen at will, including the chief; they appoint not only the members of the fire department, including the chief, but the city scavengers and the sanitary inspectors. They let all contracts for public work, and they have the power to set aside the specifications of the city engineer, as well as the plans and specifications of architects and experts who may have been employed to superintend certain special buildings, such as school buildings, hospitals, market-houses, city halls and also such public works as sewers, sidewalks, curbing, street crossings, street paving, etc. Two votes in the board make a majority, so one fellow generally flocks with another, to the exclusion of the third, who draws the same salary, it is true, but who is a mere figure-head or "bump on a

log." Just at present we have the amusing spectacle in the good City of Rocks of a newly-elected reform Council and mayor and two hold-over relicts of an ancient, time-honored ring in the Board of Public Works and Affairs, who pack with each other to the exclusion of the third reform member who represents the new order of things, and these two deal out the city's patronage with the serene confidence of the Christian who holds four aces. Our budget for 1896 was made out by the Board of Public Works and Affairs by a vote of two to one and disapproved by the Council by a vote of about twelve to eight. Questions of public policy and improvement are, therefore, frequently made matters of personal or political consideration, the welfare of the city requiring that they should be judged from a business standpoint alone.

An instance of how public business is transacted in our city may better illustrate my meaning than a whole ream of closely-written words, and may serve as an answer to all three of the questions propounded to me in the Secretary's letter, to which I have alluded above. About the time of our city elections last fall a "'possum" supper was given by some genial fellow or fellows, to which the various city officials and other distinguished citizens of different political proclivities and affiliations were invited. At this feast of reason and flow of soul it was claimed that the chief of the fire department became a little more than half seas over. This was just a little more than our new reform element could stand, and his removal was clamored for on the ground that too much conviviality of this kind was not good for the health, either of the chief or the municipality. The friends of the chief rallied to his support, and the issue was joined before a high court of impeachment, composed of the members of the Board of Public Works and Affairs. Evidence was taken in a solemn mock-judicial kind of way, and the result was one of the most unique specimens of political circumlocution probably now extant. The reform members wanted the chief expelled, whether innocent or guilty, so that the place that had known him should know him no longer, but

be filled by some member of the new régime, many of whom were longing for some of the loaves and fishes. One of the hold-over members wanted him retained, whether drunk or sober, and the third member, anxious to keep in with both sides, wobbled about like a gudgeon, and finally opined that while he thought the chief had been too drunk for a chief, he might still make a very good assistant chief. The upshot was that no agreement could be had as to who would succeed the chief, and so the impeachment failed disastrously. The papers all laughed these "judges" out of court, and the farce was over. One of our city newspapers facetiously characterized this high court of impeachment as a "court of two opposite ends and a see-saw."

Now, I would not have my hearers think that I am engaged in the unfilial task of underrating the value of Nashville's new charter. If we could only be always sure of intelligent, honest, enterprising and faithful city officials our charter could be relied upon to perform its part satisfactorily. If a city does not possess good and efficient public servants a good charter will not save the people from bad government, nor can the value of a charter be determined by the theorist's idea as to its operation. It is only by practical work under it that it must be judged. It may be here said that the great agitations of the day as to municipal reform have not their origin in the evils existing in the form of government in a small city like ours, for few, even if any, evils exist in the form. They arise entirely from active forces of evil just such as exert so alarming an influence in many of the larger cities of this country, the results of which are familiar to us all. If the voters of Nashville, or the voters of any other American city, would look carefully to the acts of their public servants and rely less upon the power of their charters, the condition of their municipal affairs might easily be better.

Speaking of municipal reform, Charles Francis Adams, in a recent address in Boston, said: "The great advance as yet made, and it is a very great advance, is in getting rid, once and for all on this issue, of the peculiar American belief that the

solution of every political trouble is to be found in some paper constitutional device ; some ingenious placing of responsibility, or division of functions. That, in a word, a governmental machine would in this case in time be framed, a sort of nickel-in-the-slot contrivance, through which the citizens, by depositing a vote in the ballot box on a specified day, can secure good government for the rest of the year without further inconvenience to himself. I have watched the working of one or two of these patent inventions—notably one in my former home at Quincy—and the practical result has been always the same ; a result sad, but instructive. The difficulty, too, has always developed from the same quarter ; from the legislative side of the machine ; and, as it has appeared to me, for the same manifest reason, to wit : That this was the weak point in the machine."

In Nashville we possess the very latest and, to all appearances, the best of these new paper designs for good government. Our mayor, it is true, might well have a little wider field or scope for the exercise of such power or authority as should appertain to the chief magistracy of a city of our size and importance. I believe it is generally conceded that the experience of American cities will show that it is wise to give the mayor a good deal of sway. He should be the king or monarch of his city ; but it is also yet a matter of difference of opinion concerning the wisdom of giving him absolute power either of appointment or removal. At any rate, it is a great mistake to deprive him of all authority and to make him, as we have made our mayor in Nashville, a mere figure-head in the community of which he is chief magistrate.

Our charter, like that of the Bullitt Charter of Philadelphia, might have well made sufficiency in office a ground for impeachment and removal, just as it has made corruption or malfeasance in office. We might have well had the same method of ruling our police force that was adopted in Cincinnati a few years ago. In that city the Board of Police Commissioners is composed of four electors of the city, who are appointed by the governor of Ohio. Not more than two members belonging to the same

political party. The mayor is a member of the board *ex-officio*, and hence no tie votes are possible, and the electors of the city can hold him responsible for the condition of the department. Our Board of Public Works and Affairs might well be composed of the mayor, the city attorney and some good practical judge of constructive work elected every other year by the Council, thus saving two annual salaries; but with these few alterations our device in the way of a charter seems to work quite well, and yet, nevertheless, the city is between \$3,000,000 and \$4,000,000 in debt, our percentage of bonded indebtedness to total taxable valuation a very heavy one, and as a result we enjoy an unpleasantly large assessment of our property for purposes of taxation and a levy of fifteen mills to supply our treasury with its necessary annual outlay. It is no wonder to me, therefore, that the mayor of Springfield, Mass., where an old-fashioned charter is still in operation, where a bonded indebtedness reaches about forty one-hundredths of one per cent. of taxable valuation, and where a tax of twelve mills levy supplies annual sinews of war for State, county and city, in a recent address to the City Council when the question of adopting a certain proposed new charter for the city government was raised, said: "Gentlemen, we shall act wisely to allow others to experiment with so-called up-to-date charters, and when it is anywhere demonstrated by practical tests and experience that they operate better than ours for the welfare of a city and its inhabitants, it will be ample time for us to make a change."

## MUNICIPAL CONDITION OF MEMPHIS, TENN.

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JAMES H. MALONE, Esq.

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If the history of the municipalities of this country is ever written Memphis will occupy a unique position therein. Her fortunes and misfortunes, out of which the present government has been evolved, are in all probability without a parallel. At the risk of possibly transgressing, I will give a condensed statement of the facts leading to our present form of government, deeming such a statement necessary for the proper understanding of our municipal affairs.

By the general improvement act of 1851-52, passed by the Legislature of Tennessee, a great impetus was given to all sorts of enterprises, and especially to railway building, and Memphis for the first time assumed importance as one of the coming commercial centres. Subscriptions were at once made to various railroads, commencing when the town had only a population of 8000 people, the subscriptions in the aggregate amounting to \$1,300,000; and although stock was subscribed for on behalf of the municipality, it received very small returns therefor.

Then came the civil war, with all of its devastations and wrecks and ruins of fortune in this section of the country, and immediately after the war, and before the real owners of the town again resumed power, municipal affairs drifted into the hands of all sorts of incompetent and dishonest officials. During this period an indebtedness of \$1,500,000 was incurred for building what was commonly called the Nicholson pavements, at extravagant prices, and which began to rot almost before the entire work was completed. The credit of the city was at a low ebb and scrip was issued, and there being no funds on hand to redeem the scrip, the city was compelled to pay extravagant

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prices for material and for work. Then so-called funding measures were set on foot, and the facts, as disclosed afterwards by reports of committees, showed that one Swan and associates, having purchased \$275,000 of scrip at a discount of from twenty-seven to thirty-five cents on the dollar, made a contract with the mayor, which was never reduced to writing, or passed upon officially by the board of mayor and aldermen, by the terms of which for every sixty-five dollars of scrip the city agreed and did issue to Swan and his associates a bond of the city for \$100. This is one instance of the speculation carried on. During the years 1867, '68 and '69 bonds were issued and disposed of for various purposes, from which the city realized \$1,384,736.71, the loss on discounts, etc., in the negotiations of these bonds amounted to \$904,263.29.

One other example of the manner in which the city was robbed will be given among many of the same kind. On August 18th, 1869, by entry on the books it appears that the city made its note for \$5000, secured by \$4000 of the city bonds as collateral security. The note was sold for seventy-five cents on the dollar, and not being paid at maturity, the collaterals were sold for forty-seven and a half cents, and so, after calculating the losses upon the transaction according to the books as they now stand, they amounted to \$3556.66.

In 1870 the city government passed into the hands of the good people of the town for the first time, John Johnson being elected mayor. But the affairs of the city were already so entangled that its redemption was well-nigh impossible, and such proved to be the case. In 1876 the bonded and floating debt of the city was over \$6,000,000, and another heroic effort in the way of compromise was attempted, but proved futile. All sorts of scrip had been issued, and was at a great discount, and was receivable for nearly almost all taxes; hence, those who paid taxes generally paid in scrip; and, to add to the embarrassment, numerous mandamus suits were instituted in the State and federal courts, and these, together with injunction suits on behalf of taxpayers, rendered the city authorities almost power-

less to raise money sufficient to pay current expenses, to say nothing of paying interest or the principal of the debt.

In 1878 the yellow fever epidemic spread over the city, thousands of the best citizens were buried and thousands fled the town, and it became a question whether the city could stand the strain of plague, pestilence, famine and debt, and this epidemic was followed by another in 1879, but not quite so severe.

In January, 1879, the Legislature of Tennessee abolished the charter of the city, removed its officials from office and forbade them the power of taxation. By another act the governor was directed to appoint a receiver to collect all the taxes and assets of the old city and administer them for the benefit of the creditors. By still a third act the same territory was created a Taxing District and governmental agencies provided, but these agencies were denied the right to levy taxes for the benefit of the inhabitants of the district. The public streets, alleys, parks, wharves, fire engines, horses and the like were all declared to be exempt from the old city's debt, and to be held for public uses as theretofore. The new government was denied the right to issue bonds or scrip, or incur any debt of any character whatever, and the city was declared not liable in an action for damages to any person who might be or whose property might be injured by reason of defective streets and the like, and lastly the district was declared not liable for any of the indebtedness of the old city of Memphis.

As stated above, the power of taxation was denied to the new government. How then could the desired revenue for governmental purposes be imposed and collected? Here I will quote briefly from the act which succinctly answers the questions and shows the scheme of the new municipal government:

"That the necessary taxes for the support of the government thus established shall be imposed directly by the general assembly of the state of Tennessee and not otherwise. In administering the affairs and for providing the means for local government in said districts the following agencies and govern-

ing instrumentalities are hereby established : First, a Board of Fire and Police Commissioners to be selected and qualified in the manner hereinafter provided ; second, a committee on ordinances or local laws, to be known as the Legislative Council of the Taxing District, and which shall consist of the commissioners of the Fire and Police Boards and the supervisors of the Board of Public Works ; third, a Board of Health, to consist of the chief of police, a health officer and one physician, who shall have been in active practice for a period of five years, next preceding his appointment, who shall be an inhabitant of the taxing district and for five years an inhabitant of the county, and who shall be *ex-officio* president of the Board ; fourth, a Board of Public Works, to consist of five supervisors of Public Works." The three members of the Board of Fire and Police Commissioners and the five members of the Board of Public Works are elected for a term of four years, and can be removed by the Legislative Council for any malfeasance or misfeasance in office. All are not elected at once, however, as there is a biennial election in January in which a part of the members of each board is elected. Then there can never be a time when all the members will be new or raw. The long term of four years and the election of part only of the members of these boards at any one given election I regard as highly conducive to the public good.

The functions and practical working of these boards and governmental agencies are substantially the same to-day as originally enacted in 1879, and may be summarized briefly as follows :

The Board of Fire and Police Commissioners consists of three members, and elects its president, who was *ex-officio* president of the Taxing District, now mayor of Memphis, and presides over the meetings of the Legislative Council, but without power of veto, he voting as any other member. This board has control of the appointment of firemen, policemen, and, in short, controls the patronage of the city government. What is called the Board of Public Works consists of five members, without whose concurrence no contract can be entered into. The

Board of Fire and Police Commissioners and the Board of Public Works, sitting jointly, compose the Legislative Council and enact all ordinances of the city, both boards being chosen from the city at large. It was also enacted, and is now the law (though its repeal has been attempted), that if any member of said board, or any member of said commission, shall become interested directly or indirectly, nearly or remotely, in any contract of any kind made on behalf of the city, upon conviction the guilty party shall suffer imprisonment in the state penitentiary at hard labor for not less than five nor more than ten years, and be forever rendered infamous and ineligible for any office in the State.

Litigation, of course, poured in upon the new officials from State and federal courts. The general result, however, was in favor of the new government, and those who may be curious to study the details of these decisions can find them by consulting *Leuhrman vs. Taxing District*, 2 Lea (Tenn.), 425, and *Merriwether vs. Garrett*, 102 U. S., 472.

The situation demanded heroic treatment and such it received. The plan of "pay as you go" was adopted and has continued to this day. We have a splendid sewerage system, more streets and better streets and more money on hand to build new streets than ever before. The police and fire departments are in first-class condition, while the water supply is unexcelled, and not one dollar of indebtedness stands against the city incurred since 1879, save and except the bonded indebtedness of the old city, for by an agreement between the creditors of the old city and the Taxing District Government, sanctioned by the Legislature, the debt of the old corporation was compromised at fifty cents on the dollar and assumed by the Taxing District, the interest on which has been promptly paid. The bonds are considered gilt-edged securities, and are quoted in the markets far above par, and measures are now on foot to refund a part of the debt at a low rate of interest.

Our present form of government is substantially as it was originally enacted, with at least one important exception, namely,

a limited power of taxation has been vested by the Legislature in the Legislative Council. In addition the name of the city of Memphis has been restored, and the chief executive is now known as the mayor, instead of the president of the Taxing District. Upon the whole, I believe I am warranted in saying that the people are reasonably well satisfied with their present form of government, and I know of no serious modification contemplated at the present time.

I believe it is the opinion of all reflecting persons, who have seriously considered the situation, that fundamental changes are necessary in the organic law of the State if we are to attain a full measure of benefit from municipal government in Tennessee, at least such is the case with respect to our municipality. In view of the fact that Memphis possibly owes its very existence to the power of the legislature to interfere with its local affairs and the exercise of that power in 1879 by abolishing its charter, it may seem paradoxical to say that it is desired so to modify our organic law that it will be impossible for the legislature to interfere with local municipal affairs. We have suffered grievously in this respect. In the report of the committee on jurisprudence and law reform, made to the Tennessee State Bar Association in July, 1895, over which I had the honor to preside as president, speaking with reference to this matter, it was said :

"The result of this is that two-thirds of the time actually devoted to legislation is now devoted to contests between different factions in our cities, towns and villages advocating or opposing charter changes. The effect of this is, that that class of real property has become less valuable, and it is being abandoned as business investments. Many believe that without an amendment to our present constitution no municipal code can be adopted."

The next important change desired is a change in our constitution, authorizing municipalities to levy a tax on abutting property to pay for a part, at least, for local improvements of streets, sewers and the like, it having been decided by the

Supreme Court that such taxation or assessment is forbidden by the constitution. (See *Taylor vs. Chandler*, 9 Heisk., 349).

Again, we have in Tennessee the ancient County Court system, composed of magistrates of the county, nearly all of whom reside beyond the city limits, but whose power of taxation includes the whole city, and we have in this respect too much government.

Earnest efforts have been made and are now making to bring about these desired changes, they being recommended by the State Bar Association, mentioned above. I very much desired to have the pleasure of attending your meeting in Baltimore, and had fully expected to be present, but one thing renders this impossible. The party to which I belong (Democratic) holds its State convention at Nashville on the days of your meeting, namely, May 6th and 7th, and those of us who have been working for these reforms deem it imperatively necessary to be on hand, to urge the party to insert a plank in its platform favorable to our views, with the hope that the Republican party, which is to meet in convention later on, will pursue the same course. We find it difficult to interest our people on these vital questions. The party leaders are generally absorbed with national politics, or pretend so to be. For instance, at the present time, we can hear of nothing except the money question, while a few years ago we heard of nothing except the tariff, which was discussed morning, noon and night, in the press, upon the stump and at every cross-road.

However discouraging our past experience may have been, we are determined to push the matter of these reforms until success finally crowns our efforts.

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MUNICIPAL REFORM IN GEORGIA.\*

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The sentiment in favor of better government is deep and abiding in a large majority of the citizens of Georgia, but its open advocates and earnest agitators are confined almost exclusively to the Protestant Church people. It is probable that these would hold their peace but for their religious consciences impelling them to protect the young men from the immoral effects of whisky, gambling and the long train of vices that follow these evils. If the liquor men would not continuously violate the law, especially those statutes prohibiting the sale on Sunday, the sale to drunken men and to minors, and if through their power over the police they would not encourage and protect the gambler, there is small doubt that the busy men of Georgia would pursue the even tenor of their way, content to let the municipal ship be guided and manned by those who had the time or the love of the vain pomp and circumstance of holding public office.

There have been but few great scandals in our cities growing out of jobbery and dishonesty; true, several such schemes were attempted, but through the vigilance of citizens were throttled before much harm was done. This may largely account for the fact that most of the complaint and conflict has been upon matters touching the sale of liquor, as above stated.

Our public sentiment tolerates, without approval, many irregularities of small magnitude. There are those who do not appear to think that morality, which is "the science of human

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\* In discussing this subject I do not refer, except one time, to any particular city, but collectively to the ten cities of Georgia. I mean the white people, because the negro has but little concern with public opinion, for reasons that will appear later on.—A. D.

duty," embraces public sentiment as well as private conduct. Some who consider themselves upright will commit petty frauds in elections, laugh at and twit their opponents about it and pass it off as merely a clever trick ; but the majority no longer give a sum to the " campaign fund and look the other way lest they see how it is applied." Some dishonest measures have been openly advocated in the name of the public welfare, and, by the same token, some City Councils have passed measures that, in private life, would almost have amounted to crimes. O, what sanctity in that name, "The Public!" How many little private snaps have been smuggled through in the name of "the dear people," who seem to have been adopted as the special ward of the demagogue, whose most plausible argument is that "the end justifies the means." With some modification it might be said in Georgia that "the pulpit is once more assuming its legitimate prerogative and is hurling its anathemas against high-handed corruption in municipal affairs; the deeds of darkness and venality are condemned in the house of the faithful." Good people are beginning to vote as they pray, and are being waked up, but it is mainly upon the subject of morals. They scarcely know of such a thing as municipal patriotism. Some one says, "What is a city—a corporation?" Well, I am afraid that that is about all there is of it in the minds of many. Such a soulless entity can inspire no love, can call forth no loyalty. We subscribe too quickly to the spirit of Daniel O'Connor's aphorism that "a corporation has neither a body to be kicked nor a soul to be damned." On the other hand, we should have more patriotism for our city than for our State. Municipal reform, according to the conception of most men, is the reduction of the assessment or of the tax rate, and it does not seem to have occurred to them that there is just as much need in the city, as in the nation, of cherishing an ideal of liberty, or purity of perfection. The nation, the State, the county, the city are circles that concentrate in a rapid ratio, and the nearer we approach the family hearthstone the more sacred should be the sentiment.

It has been a great many years since the mayor of a



city was quite an autocrat, and, like Alexander Selkirk, could say: "I am monarch of all I survey; my right there is none to dispute." For all purposes of "practical politics" he had complete control of the police force, fire department, street hands and other employees. Through the police he had power to "protect" such barkeepers, gamblers, *et id omne genus*, as would pay him sufficient blackmail; this alone always insured him an enormous campaign fund which could silence, if not actually buy, some newspapers. Take this illustration: In a city, licensing one hundred bar-rooms, he could collect at least ten dollars from the lowest dive among them, while the more prosperous in a close contest give a much higher figure. But for the sake of this illustration we will say that they average ten dollars apiece, making a total of \$1000. It is reasonable to suppose that there was attached to every bar-room a gambler—I mean the big bird, who is a fowl of large importance in municipal affairs. (We need not reckon here on the swarm of "cappers" and "decoy ducks" used by him). From these gamblers at ten dollars per head another \$1000 could be raised. By the fat-frying process another \$1000 could be produced from the fire department, city employees generally and candidates for various offices. Thus he had a grand total of \$3000 to start with. Add to this the fact that the three or four hundred people so contributing each had a vote, and could influence not only his family, but also outsiders. Each of these people was an intense partisan, who considered that his job depended more on his political efficiency than upon his conscientious performance of duty.

There may have been mayors who held office from four to twelve years, and the only wonder is that they did not keep it for a lifetime and will it to their children. Of course, there is a difference of opinion as to how long a competent, upright man should bear rule, but I submit that few men are able to resist the multitude of "influences" constantly brought to bear upon them. So persistent and ingenious are these influences that even an upright man is sometimes corrupted. Verily, for ways that are dark and tricks that are shrewd the city politician is peculiar.

In most of the cities this tremendous power has been diminished by commissioners and a distribution of power in other ways. The city charters have been also changed so as to limit the term of office, but in some instances friends of the mayor have been elected to the legislature, and the kaleidoscopic changes made to keep him in office were almost bewildering.

Formerly, the mayor had a Board of Aldermen which he used as a "cat's paw," who received all the blame for dirty work, and this blame being divided between ten or twelve men did no one man serious damage, especially as he could always claim that he opposed it. Thus one readily sees why a dishonest mayor desires to shirk this responsibility and does not desire the power to vote. To cure this evil some mayors have been given this veto power, which I think is right and proper, even though the Council was composed entirely of honest men. If a measure cannot be shown to be right with sufficient clearness to convince two-thirds or three-quarters of Council, especially after time for reason has elapsed, and the mayor has given his reasons for vetoing, then there is grave doubt about the wisdom of such a measure. The mayor should not only have the right to veto the measure as a whole, but should also have the right to veto such part or parts as he considers obnoxious.

In our democratic form of civics, government for the people by the people can seldom be attained where the power is concentrated. The tendency of human nature is to abuse power, and the "insolence of office" has become proverbial; therefore, it is highly important that the legislative and executive functions of municipal government should be separate. Our State government is a success, because the legislative, executive and judicial functions are independent. It is easier for a "ring" or a corporation to corrupt one man than several, and it is the consensus of opinion among thoughtful men that the larger the legislative bodies, proportionate to population, the less corrupt will they be. History and statistics seem almost to demonstrate the accuracy of this opinion.

Until recent years our City Councils were composed of one

or two good men (as a blind), and the balance would be bar-keepers, people interested in liquor, or men under their control. My information is now there is, perhaps, not a single barkeeper member of any Council or Board of Aldermen in the State of Georgia, but this does not prove that he did not elect those now in office.

Material advancement has been made in the sympathy of the press. There are but few papers that will now openly advocate ring candidates and methods. But, on the other hand, neither will the majority of them champion the efforts to bring about "good government;" but this can readily be explained by the fact that people have been skeptical of the success of all reform movements until they succeeded. Newspapers are corporations organized to make money—honestly, if they can—and it is only when some lion-hearted editor throws down the gauntlet in favor of good government that much progress is made.

However great the improvement along this line, we cannot close our eyes to the fact that there yet remains some few papers who cast their influence against reform and reformers. Some are paid for active work, some are paid for silence, while others are indirectly owned by the ring. These degrade public sentiment by insincere criticism and villification of opponents. No self-respecting man is willing to be published as a scoundrel, to have his motions impugned, or to be misquoted; and rather than mortify his family, and have his name thus dragged through the mire, he refuses to be a candidate or even to be a prominent worker. So generally have our best business men refused to have anything to do with politics, that the term "politician" is, to say the least, a very doubtful compliment. This state of affairs left the field open to men without reputations to lose, or to those willing to trade what little reputation they had for money or for notoriety. Those whose lack of ability and character left no hope of success in the business world; and men with but meagre attainments who, as one of my college professors was fond of saying, "would never impede navigation by

setting the rivers on fire." This class saw that by wearing the collar of the political bosses they could obtain office and notoriety, which they considered quite a good substitute for fame. By this system of evolution we have an abundant crop of "politicians"—a thick-skinned, slimy, stealthy creature, that in all probability is the "missing link." It is positively painful to note the perplexity of our young men as they realize the facts as they exist. In schools and churches they are taught that "truth crushed to earth will rise again," etc., and that "religion is profitable in the life that now is and also in the life to come," but in "practical politics" they have seen the problem worked out this way, viz.: A foreigner (perhaps a criminal) leaves his native land, comes to this country, and, by endearing himself to some political boss, is made a policeman; by levying blackmail (for "protection") on the law-breaking barkeepers, crooks and gamblers of his beat, in a few years he accumulates enough to open a bar-room. In due course of time he ascends (?) from ward heeler to ward boss, and by contributing enough to "the machine" he is elected councilman—think of it, ye gods, a "city father!" From that day he is published as "Honorable" Mr. So-and-So, one of our most prominent, public-spirited and patriotic citizens, and his vicious bull dog terrier cannot have a fight in a back alley but what an enterprising reporter writes it up in a flattering way. He may sell or he may run his bar-room in another man's name; he may retire from office and become a secret wire puller; but the reporter will not let him become lost to sight and memory dear—a rather odd illustration of how the "scent of the roses will cling around him still." Thus a young man with a laudable ambition for public life soon believes that he must serve the ring or remain in private life, and to join the church *in earnest* is tantamount to committing political suicide.

The majority of people like for others to do their thinking, but our people are beginning to ask the question why is nearly every barkeeper or gambler a working politician. "Is he more patriotic, more philanthropic? Does he love the

welfare of his fellow-man? and is he more jealous of the peace, good order and dignity of the State? Does he assume the functions of government because his neighbors, the dry goods and hardware merchants, are lacking in ability, character and patriotism?" Nay, verily, it is because they are *not* lacking that he objects to them. Our people are beginning to realize that careless citizens choose corrupt officials, and that the criminal indifference of decent men is the chief cause of that widespread municipal corruption which is our national disgrace. The business man who, through indifference, practically hands his franchise over to a "ring," and thereby abrogates his sovereignty as a self-governing citizen, realizes too late that he has sold his birthright for a mess of pottage. Some one writes that one of Solon's regulations proclaimed a man dishonored and disfranchised who, in a civil dispute, stood aloof and took no part on either side; and that with the Greeks, the word *idiotes*—that is, *idiot*—meant a man who cared nothing for the public interests. Daniel Webster said that only religion, morals and knowledge can make men respectable and happy under any form of government. A comparison of the religion, morals and knowledge of all the races and nations, from the African cannibal up through the ascending scale to this enlightened Christian nation, brings out the truth of Mr. Webster's statement with convincing force.

Registration as a prerequisite to voting has recently been adopted in most of our cities, but it is merely one step in the right direction and does not go far enough. The tricky politician has learned how to avoid it, though he does so at the expense of both time and money. In one of our cities there were about three hundred negro laborers, who had been imported from an adjoining State to do some large contract work. None of them were qualified to register or vote in Georgia, but, nevertheless, they, with scores of local negroes who were not qualified, would be carried to the registration booth by the heelers of the liquor men, who instructed them what they should swear to. Fully ninety-five per cent. of them received

their certificates, the other five per cent. not being shrewd enough to swear just right and to evade the cross questioning. They then sold their certificates to a certain barkeeper for one dollar and a drink of mean liquor. You may readily understand the ease with which a certificate can be handed to another negro on election day, who is told his name (as shown on the certificate), and placed in a "block of five," under the leadership of a trusted heeler, and the vote cast for the ring candidate. It is difficult to detect and prove this trick, for it is almost impossible to distinguish between strange negroes. They look so much alike that men raised in the South frequently hesitate and refuse on the witness stand to point out any particular one as being the one seen on a former occasion.

Very few negroes ever vote from motives of sentiment or principle; nothing but a tangible remuneration ever moves them either in national, State or municipal elections. They are patriotic for revenue only. The negro vote is a bought vote, and it is folly to reckon on any other way to control it; true, his body is no longer for sale, but his franchise has never ceased to be a chattel. Many great men consider the enfranchisement of the negro as the most stupendous mistake of our government. Ignorant slaves, without conception of society or government, were given their freedom and the ballot at the same time, and it was but natural that they should use their ballot blindly. This brought on that horrible civic nightmare, known as "carpet bag rule," which was almost as disastrous as the war. To overthrow this rule the white people banded together, and where fair means failed they tricked the negro or openly bribed him. Under that sophistry, that "the end justifies the means," they committed acts that before the war would have disgraced and banished them from their homes. This lowered public sentiment to the point where it would tolerate fraud and trickery, and it is small wonder that gradually our best statesmen were supplanted by the creeping in of rascals, tools—in short, the "politician." From tricking the negro and carpet-bagger they began tricking each other, until, as a natural consequence, disreputable methods

begot disreputable candidates, who, after getting into office, there sought to entrench themselves by forming rings. These rings, by the law of affinity, combined the liquor element, the ignorant foreigner and the negro, and managed to nullify the vote of the decent element, until the business man became disgusted with himself for wasting the time it took to cast a ballot.

This combination controlled the majority of votes, and our star of hope consists in an educational qualification, or some similar law to the Australian Ballot Law, that will prevent the bribing of the negro; this would cut off the mad dog's tail just behind the ears and forever dispose of him.

Considering the fact that a municipality is a corporation, one might say that like other corporations it ought to be governed by its stockholders, but then we might be upon dangerous ground when we undertook to decide who were the stockholders. But there can be no questioning the statement that the officers and employees should be competent, honest men, and not, as is too often the case, broken-down business men, who have proved failures in all other walks of life. The city should not become an eleemosynary institution for those not competent to earn a living.

We have laws against bribery, illegal voting, etc., but no one likes to become a prosecutor when it would be charged that he was moved by spite or disappointment. I have never known of any one being tried for committing any offense against the election laws, and the public sentiment seems to be in favor of lulling itself to sleep and letting bygones be bygones, so long as no serious damage is done. We need more stringent elections, such as the Corrupt Practices Act of England, passed by the Gladstone ministry in 1883.

Although I have thus stated the facts candidly, without any attempt to palliate or to conceal, yet, after the worst is said, I believe Georgia to be less afflicted than any of her sisters. She has, perhaps, the greatest percentage of old stock Americans, of revolutionary ancestry and patriotism, to be found in any State. True, we have those warts on the body politic, known as

"Rings;" true, her citizenship is prone to be tolerant and indifferent, but underlying all, as a granite foundation, we have a public opinion that believes in morality, religion and liberty. The rings dare not purposely arouse this sentiment, for when aroused it stalks abroad with leonine force and fury. At such times the ringsters and heelers scamper away like the jackals and hyenas, but like them, when the lion's roar dies in the distance, they sneak back under cover of darkness and trickery and feed upon the political carcass until their snarling again becomes obnoxious. They never try to steal the whole carcass—only a bite at a time, for the liquor men are satisfied with "protection," and the ring is content with office and petty pilfering.

Georgians are also tolerant because they are busy and contented. Long ago they beat their swords into plowshares and their spears into pruning hooks, and with a heroism born of almost divine inspiration they adjusted themselves to a strange and new order of things, and under the pressure of a high resolve and a tremendous energy they have made the grand old State to flourish like a green bay tree. From the mountains to the seaboard one seldom gets far out of sight and hearing of the tall chimney, the church spire and the school-bell. Proudly is she working out her own salvation, and unless municipal politics shall become a cancer that will eat into her vitals, she will become to this nation what she is now to the South—the "Empire State"—the promised land flowing with milk and honey, where wisdom, justice and moderation bring the greatest good to the greatest number.



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## MUNICIPAL CONDITION OF SPRINGFIELD.

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Whatever is said in the following paper concerning the excellent municipal condition of Springfield is well within the facts, and in every instance the favorable features of that condition are understated rather than exaggerated.

Springfield became a town in 1636 and a city in 1852. Its population, according to the State census of 1895, was in that year fifty-one thousand five hundred and thirty-five; it is probably more than fifty-two thousand now, and is included in the city proper and the outlying villages of Indian Orchard and Brightwood. Springfield covers a large geographical area, is not crowded nor is it likely to become so, and it has no slums. The great majority of its people are well housed, only a small portion living in inferior tenements, and their number is not increasing. There are few American cities where so large a proportion of the whole number of people own their homes or live in detached or semi-detached houses with plenty of light, air and yard room. There is very little poverty of the extreme type, an unusually small criminal, semi-criminal, vagrant or idle population, and the proportion of unskilled laborers among the working people is considerably below the average for the State.

The industries of Springfield are of a kind to attract and retain a desirable class of artisans. There are no cotton or woolen mills and very little textile manufacturing of any kind, while there is the United States armory, pistol and car shops and numerous moderate-sized manufactories, all of which employ skillful and well-paid men and women. It is undoubtedly due to this diversity of industries that the working people of Springfield have suffered so comparatively little from idleness

and inability to obtain at least partial employment during the prevailing depression in business. The attractiveness of Springfield has drawn to it a considerable number of people of comfortable possessions, and above the average in intelligence, including a good many managers of important industries in nearby towns. On the other hand, Springfield has only a few very wealthy inhabitants, but a great many who are well-to-do and fore-handed. The proportion of foreign born and illiterates is much below the average for the State.

These conditions have always prevailed in Springfield, and there has never been lacking a healthy public spirit among its people, and as a consequence that community, as town and city, has always been well governed and is well governed to-day. There is no record of serious malfeasance in office, corruption by a public servant or criminal extravagance in administering the public moneys in all the two hundred and sixty years of Springfield's corporate history. Minor abuses there have been, and occasional departures from the pathway of strict economy; there have been lapses into heedlessness in spending the taxpayers' money, and now and again a yielding to the temptation to go faster and farther in the line of public improvements than the condition of the public purse would warrant; but with the harsher types of municipal evils its people have never been obliged to deal. Springfield has never been ruled by a ring or exploited by a crowd of boodlers, nor has it ever been the spoil of the self-seeking politician.

When departures from the path of municipal rectitude have occurred the people have been swift to rebuke them, and to turn their careless servants out of office off-hand. Party politics do not and never have dominated in municipal nominations or elections in Springfield. Republicans and Democrats hold party conventions each year and nominate complete tickets from mayor down, but the independent voter is always abroad in full force at the municipal election, and often changes the Republican majority in November to a Democratic, citizens' or fusion majority a month later. In this way it has been demonstrated over and

over again that local issues control in local elections—the last time at the election in December. The party managers thoroughly understand the situation, and it is due to most of them to say that they are heartily in sympathy with the purpose of the people to secure the best city government possible, and the attempt is rarely made to elect unfit men to city offices. There is as much partisan antagonism in Springfield as in most cities, and both parties try their best to win in the municipal campaign, but experience has taught the managers on both sides that the best ticket has the most chances of election. The public schools are not in politics, and the people have punished, with overwhelming defeat, some attempts to crowd men and women into the school board as representatives of factions and fads, without much regard to their fitness for the place. It is a very common thing for members of the school board, who have proved their efficiency, to be renominated by both parties, and for both conventions to unite in nominating some one whose qualifications for service on that board are acknowledged. It has occasionally happened also that aldermen and councilmen, who have made good records in the service of the city, have been made the candidates of both parties, and it is the custom to unite in the re-nomination of the city clerk and the treasurer each year.

It follows from these conditions and the determination of the people to get the best service, that Springfield usually has a government which is representative of a little better than the average intelligence, virtue and public spirit of the community. Some years the government will sink somewhat below this level and other years it will rise above it in quality, but it is always comparatively easy to obtain the services of competent men and to have a sufficient number of such in both branches of the local legislature to control and give character to the entire body, and a representative citizen can always be found for the mayoralty. The mayoralty of Springfield is accounted an honor which the most competent regard as worth striving for. So far public sentiment has refused to be content with a city government of lower grade than this, and there are no alarming signs of growing in-

difference among the people to the sort of men they elect to conduct public affairs.

It is believed by many students of the situation that Springfield would be better governed were its present charter replaced by a more modern instrument, and this change is likely to be made before many years. The present charter is the original statute of 1852, under which the city was incorporated, modified by various enactments of the State and local legislatures passed since that time. The consequence is that the fundamental law of Springfield is something of a patchwork, not wholly consistent in all its parts, and is, to some extent, an obstacle in the way of applying strictly business methods to the administration of the several departments. Under it it is impossible to avoid divided responsibility or to secure permanency of policy in the administration of a department, or to hold the nominal heads of the departments to as strict an accountability as is desirable. In this emergency recourse has been had to the commission system, and several departments have been put under the care of boards, appointed under the State law by the mayor and confirmed by the aldermen. A commission administers the water supply and distributing system, which the city owns, another looks after the fire department, a third sees to the public parks and a fourth manages the sinking fund. The matter of distributing the licenses to sell intoxicating liquors, granted under the local option law of the State, was taken from the aldermen a few years ago and given to a board of three members, with the result that the license question, which was formerly a mischievous factor, has ceased to have any bearing on the choice of aldermanic candidates, and has been taken out of local politics, excepting as relating to the general question whether or not licenses shall be granted. Springfield is a license city, a majority of its people having decided in several successive years that the evils of the liquor traffic can be reduced to lower terms by this method of control than by the attempt to prohibit the sale of intoxicants within the corporate limits.

The schools are in charge of a committee elected as repre-

senting the several wards, but by the people at large, and this committee is chosen with almost exclusive reference to fitness for the task imposed upon it. The executive head of the school system is an unusually capable superintendent who is heartily supported both by the committee and the people, and the consequence is that Springfield has most excellent schools, all of which are well housed and well equipped. A new high school-house is to be built soon, and some months have already been given to the study of plans and site by the public, the School Board, the city government and a special commission of citizens appointed for that purpose. There has been the most complete harmony in this study between the Council, the school committee and the commission, all have worked together in order that the best building possible for the purpose shall be assured.

The streets and sewers are under the charge of a superintendent, who is directly responsible to the city legislature through a joint committee of its upper and lower branches. The superintendent is elected annually by the Council, and is usually continued in office from year to year, but the committee which directs his works changes, and this change operates against a permanent policy and somewhat in favor of extravagance in the management of this department. The police department is also somewhat loosely organized, in that there is no fixity of tenure for its head and no direct method of disciplining the policemen. The head of the police department is appointed annually by the mayor, and may be removed summarily at the expiration of the municipal year. Unless the new charter comes in the immediate future the commission system will probably be extended so as to include the departments of streets and sewers and the police.

Besides the water supply the only municipal works undertaken by the corporation of Springfield are street watering and the gathering of house offal. The city contracts with private parties to water the streets and charges the cost to the abutters, but it owns the scavenging carts and disposes of the offal on the farm connected with the poorhouse—the method of disposal is

at present ploughing it into the ground. It has been proposed several times that the city establish a lighting plant of its own, and preliminary action toward that end has been taken, under the method prescribed by the Massachusetts statutes, by the aldermen and Council. This action never passed the preliminary stages, because the committees of the aldermen and Council having the lighting of the city in charge have been able to make very favorable contracts with the local electric lighting company. Under the contract now in force the city furnishes all lamps, poles and mast-arms used in electric lighting, while the company supplies the wires and the carbons, cares for the lamps, and keeps five hundred and fifty-seven arc lamps, of full power, burning from dawn to daylight, every night in the year, for seventy-five dollars per lamp per year, or a little less than two and three-hundredths cents per lamp per hour. The total cost of street lighting in Springfield for the year 1895, including electric, gas and oil lamps, was \$46,451, and the city is well lighted at this moderate outlay.

There is but one street railway company in Springfield, which enjoys the customary monopoly of the streets under the familiar type of franchise. So far the requirements of this franchise in regard to the care of the streets used by the railway, including the removal of snow in winter, have been fairly well observed by the company, which is held closely to its agreements and the demands of the city government by the committees having the streets in charge. It has also been the policy of the city government to compel the telephone company to put its wires under ground in the business portions of the city, and to remove all poles from the principal streets, and this is being done as rapidly as practicable.

On its parks Springfield expended \$25,000 last year, and this amount will be increased somewhat this year. The city owns twenty-two of these breathing places and pleasure grounds, varying in size from a few rods to Forest Park, which includes four hundred and twenty-five acres, and will soon be enlarged to about five hundred acres. Much of this park area has been pur-

chased, but more has come by gift. Forest Park, than which there are few more beautiful pleasure grounds in the United States, is almost entirely the gift of generous citizens. Many of the school-houses have considerable open areas around them, and there are more parks planned for, the policy being to take advantage of opportunities to obtain land for such purposes before the growth of the city raises real estate values to a comparatively prohibitive level.

It should be said in passing that so far the commission system has worked well in Springfield. Under the Massachusetts statutes such boards are given large powers and are made practically permanent, so that given competent and faithful commissioners, the municipal departments under their charge can be administered according to the best methods. So far our mayors have selected wisely in their choice of men to fill these places, and suitable persons have been found to do the work of the people in them substantially without compensation. The chairman of the water board, who is the executive officer of that department, receives \$1200 annually, and the secretary of the license board is paid a small salary—the other commissioners are not paid. Aldermen and councilmen are not paid; the mayor receives \$2000, the city clerk and the treasurer the same amount, and the tax collector \$2200. The total salary list of the city, exclusive of the schools, is, in round numbers, \$17,000. The present tax collector has served continuously since and including 1859, one city clerk and treasurer was in office twenty-five years, and the present incumbents have held these offices a decade and are likely to be re-elected indefinitely.

Here are some details to supplement this outline sketch of the municipal condition of Springfield. The assessed valuation of taxable property for the year 1895 was \$59,033,141, which is estimated to be seventy per cent. or more of the market value of the assessed property, and is a little above the valuation of recent years. This valuation would be nearer the average percentage of assessed to market values in years past if applied the present year, because there has been an increase in the taxable

property in Springfield since this valuation was made. Upon the above valuation the tax rate last year was twelve dollars and twenty cents on a \$1000, and the total assessment committed for collection was \$787,829. Included in this gross amount were Springfield's share of the State and county taxes and a special State tax for the building of a militia armory; deducting these items leaves the city tax proper \$643,200. The total income of the city from all sources was \$1,886,281. In this amount are included the proceeds of a temporary loan of \$400,000, a school-house loan of \$35,000, the receipts from the water department, \$212,000; from liquor licenses, \$65,000, and other incidentals. The value of the land in charge of the park commissioners is estimated at \$583,229, and of the water works at \$1,883,000, all other city property is estimated at \$2,561,848.

The debt of Springfield is \$1,944,500, of which amount, \$1,625,000, is for the water works. Money will be borrowed with which to build the new high school-house, but with this increase the debt will be only a little more than \$2,000,000, and will remain far within the borrowing limit of the city, which is, under the statute, two and a half per cent. of the valuation, exclusive of the water bonds. The credit of Springfield is very high; its temporary loans and bonds are always in demand, and were placed last year at rates which netted the lenders only from three and one-eighth to three and one-half per cent. The assembly of the State of New York has recently passed a bill permitting the savings banks of that State to invest in the securities of Springfield.

These were some of the principal items of municipal expense last year, which may be regarded as an average year because there were no extraordinary outlays. For the city library \$24,000 was appropriated, which is about the amount given each year in order that the library, which is an excellent one, may be free. The fire department cost \$84,000; streets, bridges, sewers and sidewalks \$159,000; interest \$118,000, the police \$50,000 and the schools \$199,000, of which \$163,000 was for salaries. The pauper department cost \$44,000, and its man-



agement is now undergoing a thorough overhauling by the City Council in order that certain minor abuses may be checked and abolished.

In forty-four years the tax rate has but once risen as high as eighteen dollars per \$1000, and that was in 1866; since that time it has once been seventeen dollars, but in nineteen of the last thirty years it has been thirteen dollars or under, and in twenty-three of these thirty years it has not risen above fourteen dollars. In 1890 the rate was twelve dollars and forty cents; in 1891 it was twelve dollars and fifty cents; in 1892, thirteen dollars; in 1893, twelve dollars and eighty cents; in 1894, twelve dollars, and in 1895, twelve dollars and twenty cents. The rate for 1896 may slightly exceed thirteen dollars.

As well governed as Springfield has been and is, there are many of its citizens who are convinced that its affairs can be administered better, and there is little doubt but that they can be. If its people know nothing of thieving rings and have never seen their interests made the sport of self-seeking politicians, they have paid a good deal more money in taxes to secure the municipal advantages they enjoy than they ought to have paid. There have been blunders on the part of public servants and looseness of management, which has cost heavily, and there have been conflicts of policy in the administration of some of the departments between successive governments, which have resulted in wasteful attempts at public improvements. Springfield has good and fairly well-kept streets, for instance, but neither as good nor as well kept as they ought to be for the money they have cost. On the other hand, the city has paid but little, if any, more for its buildings than private parties would have paid, and it is a safe general statement that in no city in the country have the taxpayers received more for their money than in this old Massachusetts community. Probably in no other city are the men who spend the public money more closely watched than they are in Springfield.

The local newspapers are vigilant and are unanimously on the side of a wise economy, and many of the large taxpayers

exert themselves to elect representatives of their own class to both branches of the City Council. In the present board of aldermen, eight in number, there are, at least, five whose property interests put them on the side of conservatism in expenditures, and there is a sufficient representation of the same class in the lower board. Probably the greatest safeguard against extravagance in the expenditure of public moneys in Springfield is the fact that so large a proportion of the voters are taxpayers on real estate and so feel this extravagance in their own pockets, and the strongest assurance of continued good government in that city is the character and public spirit of its citizens.

The only problems which face the people of Springfield are problems of administration. Their city is growing in a moderate and healthy way, and is, year by year, taking on more of a metropolitan aspect, and that wisdom which prepares for the future while supplying present needs is more and more needed in the conduct of its affairs. That it will be forthcoming as the years go by, as it has been in the past, no one who knows the people of Springfield can seriously doubt.

Deducting the sinking funds the water debt of Springfield is, or was, on July 1st, last, \$1,509,000, and this debt is being reduced at the rate of \$50,000 a year. Deducting from the total debt of Springfield the water debt and sinking funds, as the statute provides shall be done in estimating the legal borrowing limit of a city, and the remainder is the smallest indebtedness of any city in the State. The percentage of net indebtedness—so estimated—to valuation in Springfield is forty-seven one-hundredths, and the amount of debt to each thousand of the population is about five dollars and forty cents. This is the lowest amount of debt per thousand people of any city in Massachusetts. No other city in Massachusetts has so low a tax rate. The average rate in Springfield for the past ten years has been twelve dollars and eighty-seven cents, which is three dollars and twenty-nine cents less than the average rate for all the cities in Massachusetts for 1895. For these figures I am indebted to our city treasurer.

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## MUNICIPAL CONDITION OF ALBANY, N. Y.

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HON. JOHN BOYD THACHER,  
MAYOR OF ALBANY.

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Albany is the second oldest incorporated municipality in what is now the United States of America. On the 22d of July, in the year 1686, Governor Thomas Dongan, acting for the second King James, gave Albany her charter confirming her ancient rights, liberties and free customs. Three months before the city of New York had received a similar charter from the same hand. When the province was disturbed on the accession of William and Mary, acting governor Jacob Leisler, sometimes called the usurper, demanded back the charters from the two cities. New York yielded up hers, but to this day we, of Albany, delight to remember that our first mayor, Peter Schuyler, defied Leisler and clung to the charter. We operated under that instrument for nearly two centuries, and while we have been stripped of much of our powers and denied many of our immunities by hostile legislation, we have never suffered the loss of a single power without contention, nor been divested of the smallest right without protest.

The Dongan charter, although altered and amended in many features, remained in force until the year 1870, a period of one hundred and eighty-four years. Under that charter the title of the municipality was the "mayor, aldermen and commonalty of the city of Albany." The mayor was the executive officer of the city government. He was appointed by the lieutenant-governor of the province. He was the clerk of the market, with power to make, "assize or assay of bread, wine, beer and wood and other things." He was the coroner not only for the city of Albany, but within the limits of the county of Albany.

He granted licenses and collected the fee for the same. There were two aldermen and two assistants from each ward, and these constituted, with the mayor and recorder, the Common Council. They were yearly chosen on the Feast Day of St. Michael the Archangel. They were empowered "to make laws, orders, ordinances and constitutions," and to "add, alter, diminish and reform them." The mayor, aldermen (but not the assistants) and recorder were justices of the peace, and constituted the City Court and Court of Pleas, and were entitled to sit in any Court of Sessions or in any Court of Oyer and Terminer which might be held. It will be observed that the aldermen, who were assistants, sat only in the Common Council when the latter was exercising legislative functions. They had no part in the judicial functions performed by the other aldermen.

There was one feature in this first charter which will seem curious to us to-day. It was provided that if any person who was appointed, nominated or elected to any office should refuse to accept the same he should have a fine assessed upon him, ranging from a twenty pounds fine for one refusing to act as mayor to a fine of five pounds for one declining to be an assistant or sheriff. We enjoyed some extraordinary rights, and one important privilege was that even the governor and his council could not grant a license to trade with Indians or hunt in his majesty's dominions without the consent of the mayor, aldermen and commonalty of the city of Albany. Such were some of the principal features of the Dongan charter.

In 1870 the legislature granted us a new charter, and the municipality became known as the "City of Albany." The municipality of New York still keeps its old title, in which the word "commonalty" is a reminder of the charter first obtained from Governor Dongan. In 1883 we obtained our third and present charter. It has been amended in many important provisions, but all legislation has been in the direction of illegitimate and irresponsible municipal government. Executive power has been taken from the mayor and lodged in several boards and commissions, and legislative powers have been conferred

upon them and taken from the Common Council. These boards control the affairs, respectively, of the Departments of Police, Fire, Health, Water, Public Instruction and Parks. The mayor is *ex-officio* member and president of the first three boards. He appoints commissioners as their individual terms expire, subject to the action of the Common Council.

The provision relative to confirmation was introduced into the charter by legislative action in 1885 while I was serving as a member of the State Senate, and it became operative when I began my first term as mayor in the spring of 1886. So far as I know it is unique in its conditions. It permits the mayor to appoint officials, members of boards and commissions, and to send their names to the Common Council for confirmation; they "must be considered by that body at the meeting at which they are presented, and unless *rejected* at such meeting, or at the next regular meeting thereafter, by a majority of all the members elected to said Common Council, they shall stand confirmed." Instead of requiring a majority of all the members elected to confirm, the law requires a majority of all the members elected to reject, and unless rejected within two regular meetings, including the meeting at which the appointments are sent in, they stand confirmed. Thus a deadlock in the Common Council operates to confirm. The adjournment of two meetings without taking action is equivalent to confirmation. In my judgment the power of confirmation does not properly come within the functions of a Common Council, which is purely a legislative body. Until that principle is recognized, the provision in the Albany charter may be regarded as a somewhat successful device to relieve the executive from the control of the legislative branch in the matter of appointments.

Over three of the boards the mayor practically has no control. The Park Board and the Board of Public Instruction, as indeed the Police Board, can pass an appropriation item in the financial budget over the veto of the mayor. The Park Board draws its appropriation from the city treasury at the beginning of its fiscal year, and deposits the same where it chooses and

spends it as it chooses. The Water Board is a law unto itself. It levies taxes for water and can spend money as it elects. The Health Board has power to expend money for reducing garbage or erecting a plant for that purpose, and can call upon the city to issue bonds for same without going to the Common Council at all. The city is ruled by commissions and non-partisan boards. The simplest executive function is sometimes delayed, to the great detriment of the city, until a board can find it convenient to meet and act. It is fair to say that each of our city boards is composed of our best citizens—honest, capable and intelligent. No money is stolen, and if it is wasted it is the fault of the pernicious system of performing executive functions through the cumbersome and antiquated contrivance of a commission.

The study of municipal government is engrossing the attention of students and thinkers. It is constantly, and with increased persistency, forcing its attention on thoughtful persons. The form of the national government seems to have been satisfactorily arranged, except as regards the election of the chief executive and the members of the upper house. The form of our State government is regarded as practically fixed and established. It is now time for statesmen to construct for the government of the city a form which will be adapted to new conditions and new wants. In my own State the majority of our people live in regularly-incorporated cities. Throughout the country the ratio of the urban population is constantly increasing. A century ago there were only six cities in the country with a population of eight thousand inhabitants or over. To-day the population of cities cannot be less than twenty millions. A hundred years ago the urban population was a little over three and one-third per cent. of the whole. To-day it is over thirty per cent. In 1860 there were only one hundred and forty-one cities with a population of 5,072,256. In 1880 the cities had increased in number to two hundred and eighty-six, and the urban population had increased to 11,318,547. In 1890 there were four hundred and forty-three incorporated cities, and an urban popu-

lation of 18,318,547. For the twenty years, from 1860 to 1880, the average yearly increase of the urban population was 312,314. For the ten years, from 1880 to 1890, the average yearly increase was 696,583. If this average increase has been maintained for the last six years we have to-day more than twenty-two million souls living in cities, and whose safety and happiness directly depend on good municipal government.

The trend of population toward cities is due, in my judgment, to the following causes :

1. The protection to the inhabitants and to their property afforded by municipal government.
2. The inclination of the individual to be relieved of care and responsibility.
3. The commercial activities of cities.
4. The sociability, diversion and sympathy man finds in society.
5. The educational facilities found in cities.

It is in the second cause, the inclination of the individual to be relieved of care and responsibility, that I find the root of municipal evil. The individual will not bear his share of the public burden. He will pay his taxes and tithes, but he will not interest himself in public affairs. He will neither hold public office himself nor seek to secure qualified and honest officials to act in his stead. Until public opinion is educated to a point where the citizen recognizes his individual duty to the State, no great reforms will be obtained.

My subject does not permit me to dwell upon the cause of municipal things, and I hasten to describe a form of charter which I first suggested ten years ago, and which was presented again this year to the Legislature of New York State, but which was not acted upon. It was intended to be uniform in cities of the second class to agree with the new constitutional provisions, except, of course, as to the number of aldermen. Briefly stated, its principal features were :

1. The legislative powers shall be vested in a dual board of representatives, elected biennially, consisting of

(a) A Board of Aldermen, of nineteen members, chosen one each from the nineteen wards of the city by the voters of the respective wards. This board to hold its regular sittings on the first and third Mondays of each month.

(b) A Board of Councilmen, of nine members, chosen on a general ballot by the citizens. This board to hold its sittings on the second and fourth Mondays of each month. To provide for emergencies, upon a call of ten members of the Board of Aldermen and of five members of the Board of Councilmen the mayor may summon both boards to meet on the same day, when they shall transact such business only as shall be specified in the call. All measures, bills, ordinances and resolutions must pass both boards, and be subject to the qualified veto of the mayor as at present prescribed. All salaries of officials shall be fixed and their duties prescribed by the joint action of the two boards.

The first board, under these provisions, preserves the local representative character of the present system. The second board creates a general representative character in the legislative field, such as is given to the position of the mayor in the executive field. This second board is proposed on the theory that since the aldermen legislate for the entire city, the entire city should have a voice in choosing one branch of the legislative government. A bad or careless measure would not be likely to pass both houses. Beyond the restriction by the State legislature, that the city should not create a total indebtedness of more, say, than seven and a half per cent. of its assessed valuation, the local legislature should have power to legislate on all matters whatsoever affecting the interests of the city. The Constitution of New York State limits the maximum indebtedness of a city to a sum equal to ten per cent. of the assessed valuation. By confining the city's debt to a lower percentage the legislature would have a margin within which to grant or withhold further increase of debt.

2. The executive power shall be vested in the mayor of the city, who shall be elected at the same time as the city legislature. The mayor shall have, absolutely, the power of appoint-



ment and removal of all heads of departments. The great body of trained and efficient officeholders shall not be removed, except the mayor shall file in the office of the civil service commissioner a written order to that effect.

Under this provision all boards, commissions and other complicated agencies shall be abolished. Responsibility is directly fastened on the mayor. An executive board has no revealed personality. It unfortunately has sometimes a real personality, through the domination of some one strong member, who hides his responsibility behind the votes of his fellow-members. The principle of boards and commissions is the most unpardonable makeshift ever proposed for the exercise of executive functions. When the board or commission is bi-partisan, the principle is seen in its most objectionable form. I acknowledge the high character and patriotism of the gentlemen composing our city boards. It is the principle of a complicated and unwieldy system which I attack.

3. The creation of a permanent department of registration, the two commissioners for which shall be appointed by the mayor from a list of candidates furnished by the chairman and secretary of the general city committee of each political party, respectively, in the manner now provided by law for the selection of inspectors of election. They shall hold office for two years. It shall be their duty to secure and receive the names of all male citizens over twenty-one years entitled to vote, and record them in books of registry. They shall close their books twenty-five days before the day appointed for election, and shall place in the hands of the election inspectors the list of voters entitled to vote in each election district. They shall accuse and prosecute, before the day of election, all persons discovered by them as falsely registered, or for any cause found not entitled to vote. Within ninety days after the election they shall cause to be published in the city papers the names of all persons failing to exercise the right of suffrage.

While the objection to any board other than that of a single-head commission is as strong in this case as in any, the Constitution

of the State requires that boards of registration shall represent the two political parties casting the highest and next to the highest number of votes at the previous election.

Charging the commissioners with the duty of prosecuting falsely registered persons will be beneficent in its effects on the suffrage. As the law is now written, a man may swear in his vote at the polls and the inspectors are obliged to receive it. Afterward, he may be prosecuted. But afterward, the successful party is too much elated and the defeated party is too much discouraged to prosecute. The damage has been done. The proposed change would prevent the casting of an ineligible vote, and, in a sense, the punishment, while following the crime of falsely registering, will precede the greater crime of falsely voting. It is locking the stable door after the horse is stolen.

The commissioners are not to act in a judicial capacity, but shall gather and present to a competent court such evidence as shall secure to the citizens the right of suffrage and preserve its purity. They shall make a house-to-house canvass to ascertain the names of those entitled to vote. A central department for registration would be much more economical than the system now prevailing. When we read of the successes of municipal reforms in Great Britain, and in some of the German and French cities, we must remember that suffrage abroad is restricted and confined. With us it is practically universal. We can take no steps backward but we can throw around the exercise of the suffrage a greater protection and defense. Under the Constitution, the final date for registration may be fixed by law, but it must be in our city at least ten days before election. If the twenty-five-day limit be found insufficient in which to purge the registry books of names of persons not entitled to vote, subsequent legislation can establish a longer period. As the Constitution requires the citizen to have been a resident of his election district for thirty days, the registry books could not finally close before that time. When the books of registry are completed they will disclose (1) the names of all persons who ought to vote; (2) the names of all persons who present them-

selves and qualify themselves according to statute to vote ; and (3) the names of all persons who actually do vote. It may well be held that the exercise of the suffrage is not only a right but a duty, and the public is entitled to know the names of those who decline to assume their share of this obligation. There is as much need of compulsory suffrage for adults as there is of compulsory education for children.

I am persuaded that with a responsible, dual-chambered legislature, a responsible executive and a perfected system of registration, the whole watched over and encouraged by an active public sentiment, the problem of municipal reform would be solved forever.

## MUNICIPAL CONDITION OF PITTSBURG.

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GEORGE W. GUTHRIE, Esq.

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The charter of the city of Pittsburg is not contained in one or two Acts of Assembly. Its organization is the growth of many years of special and so-called "classified" legislation, and cannot be fully explained in the time allowed me by your committee, or be properly understood without some account of its legal history. I must, therefore, confine myself in this paper to a brief outline of its history, accompanied with a reference to such of its provisions as are peculiarly distinctive and may be of service to the League in an attempt to arrive at a conclusion as to the best form for city government.

The city was first incorporated by a special Act of Assembly, approved March 18, 1816; this was supplemented by numerous special acts regulating its affairs, passed from time to time until such legislation was prevented by the provisions of the Constitution of 1874, prohibiting special or local acts regulating the affairs of cities.

The relief afforded by this provision, at least, so far as the cities of Pittsburg and Philadelphia were concerned, was only temporary. It has been said that power is always at war with its limitations, and our experience in this matter verifies the truth of the saying. Those having control of city affairs were not content with the authority which they already had over the property of the citizens, and those having control of the machinery of legislation were not willing to surrender their power over questions of this character and keep within the barriers intended to restrict their discretion. At the first session of the legislature after the adoption of the Constitution a scheme was invented by which this restriction could be practically evaded. The legislature divided the cities of the State into three classes,

according to their population, denominating them, respectively, cities of the first, second and third class, the city of Philadelphia being the only city of the first class, and the city of Pittsburg the only city of the second class (the city of Allegheny not becoming a city of the second class until December, 1890). In this way special legislation affecting these two cities was easily secured, the only difference being that the acts were entitled acts to regulate the affairs of cities of the first or second class, respectively, instead of acts to amend the charter of the city of Pittsburg or Philadelphia.

The Supreme Court of the State sustained this classification and held that laws affecting cities of a particular class were constitutional, so long as they were strictly confined to the regulation of the corporate powers of the various municipalities, and the number, character, powers and duties of the officers employed in the administration of their affairs.

The influences controlling legislation having broken down the barriers of the Constitution, were not willing to remain within the limits prescribed by the Supreme Court. Almost every session of the legislature for several years past has produced some legislation nominally regulating the affairs of cities of the second class, but really intended for Pittsburg alone. Much of this legislation was not restricted within the limits prescribed by the Supreme Court, and every act which exceeded these limits when brought before that court has been decided unconstitutional. The necessary consequence of this has been great confusion and uncertainty in our municipal affairs, and extensive and protracted litigation, which has been aggravated by the rule of interpretation adopted by the court that these classified acts being general laws, only repealed such provisions of the prior special laws as were clearly inconsistent with them.

Act after act has been decided unconstitutional, either in whole or in part; powers supposed to have been and intended to be repealed have been held in force; some supposed to have been and intended to be retained have been held to be abolished; and those intended to be conferred on one officer or department

have been held to belong to some other. Until this device of classified legislation is entirely rooted out, the cities of Pennsylvania will never be free from this uncertainty as to the validity and operation of the laws affecting them, which is of itself a great evil, and is constantly growing more burdensome each year.

Of the classified legislation regulating cities of the second class probably the most important is an act passed June 14, 1887, and which was intended to and did work a very radical change in the government of the city of Pittsburg, though we have not yet ascertained what its full effect is.

Prior to the first Monday of January, 1888, when this act went into effect, practically the whole corporate power of the city was vested in the Councils, which were composed of two bodies, called, respectively, the Select and Common Councils, the members of which were elected from the different wards of the city, the constituencies being the same, though the term of service of Select Councilmen was two years, and of Common Councilmen one year. There was a mayor, city treasurer and controller elected by the people, and serving for three years, but their powers were very much restricted. The mayor was little more than the chief peace officer and police magistrate of the city, with a limited power of veto over the legislative acts of Councils, but no power or authority to interfere with their executive functions. The treasurer was authorized to receive all city taxes and assessments voluntarily paid within certain dates (except certain street assessments, which were payable to the city attorney), and was required to deposit the money in certain depositories selected by the Finance Committee of Councils, and pay the same out on warrants authorized by the proper committee of Councils, signed by the mayor and countersigned by the controller; and the controller kept the accounts of the city, examined all bills and claims against it, and submitted them to the proper committee of Councils (whose approval was conclusive upon him, except, possibly, in cases of fraud or a clear mistake), but had substantially no discretionary power.

With these exceptions all the legislative and executive powers of the city were vested in Councils. Its *legislative* powers were exercised by ordinances (which, as already stated, were subject to a limited power of veto by the mayor), and its *executive* powers by joint committees appointed by the presiding officers of the respective bodies, or by officers or commissions created or appointed by them.

(The public school system was and still is independent of the municipality. An act was passed at the last session of the legislature which would have destroyed this independence, but it was decided unconstitutional.)

This system became in time very unsatisfactory, but every demand for a change was resisted by those having control of city affairs, until, finally, public clamor and their own necessities compelled them to prepare and secure the passage of the act referred to.

It was entitled "An act in Relation to the Government of Cities of the Second Class," and contained twenty-six sections. It was so unskillfully drafted that the Supreme Court decided that the whole of three and material parts of two other sections are unconstitutional, and owing to this fact, and the obscure and loose phraseology of the rest of the act, the meaning and effect of many other sections are doubtful and uncertain.

It continued the Select and Common Councils (the term of Select Councilmen being extended to four years, one-half to be elected every second year, and of Common Councilmen to two years), but restricted them to purely legislative powers and to the selection of certain officers, including the heads of departments, the city assessors, the city attorney and the collector of delinquent taxes.

Three departments were created (named, respectively, Public Works, Public Safety and Public Charity), to which all executive powers were assigned; each department to have a head (now called director), elected by Councils and authorized to appoint and control, and, therefore, to remove at will, all officers and employees therein.

(Neither the time for the election nor the term of office of these heads of departments was fixed, but Councils have *attempted* to supply the omission by fixing the time of election as the month of December prior to the expiration of their own term (the election for Councilmen takes place in February), and the term of office as four years from the first day of January following, thereby providing for their election by an expiring Council and continuing them in office over two Councilmanic elections).

To the Department of Public Safety was confided "the care, management, administration and supervision" of the police, fire, city telegraphs, public health and inspection of buildings.

To the Department of Public Works was confided "the direction" of water, gas, streets, bridges, sewers, parks, markets, wharves and the construction of public works.

To the Department of Public Charities was confided "the care, management, administration and supervision" of all public charities.

(The act directed that all executive powers theretofore conferred or duties imposed upon any executive officer, commission or committee should be exercised or discharged by the proper department, but this provision, as also one authorizing Councils to create such additional departments as it might think proper, and under which it attempted to create a Department of Awards, have been decided to be unconstitutional and void).

The mayor was given "general supervision of all departments, with power to direct their officers within their duties under the laws and ordinances;" but no means were provided for the enforcement of this power, and as Councils have refused to pass any ordinance to supply the omission, this, as well as the express power to prescribe rules and regulations for the government of the police, given to him by a former statute, have been practically ignored.

A circumstance, which curiously illustrates official indifference to the requirements of law when not enforced by any superior power, has just been made public. Although the



supervision of all public works is given to the Department of Public Works, and of the police to the Department of Public Safety, by some sort of treaty, or tacit understanding, the head of the Department of Public Works has been permitted to employ and control the park police, and in return the head of the Department of Public Safety has been permitted to control the erection of the buildings intended for his department.

Elected by an expiring Council, the heads of the various departments are free to use the whole executive power and public patronage of the city to secure the nomination and election to Council of members subservient to themselves. Should they fail at the first election they have an opportunity to recover themselves at the next, which takes place two years thereafter, and then have still two years more in which to use the same powers to subordinate to their control any adverse members who may have been elected, notwithstanding their opposition.

Being free from supervision or control, not being directly responsible to the people, holding office for a fixed term by election by an expired Council, and dominating the new one, a majority of the members of which owe their seats to their favor, they are practically supreme in the exercise of the great powers entrusted to or usurped by them.

Any system of letting contracts would be dangerous under such uncontrolled power, but our system is peculiarly so.

The specifications are prepared and bids opened by the head of the department having charge of the subject-matter, and the law authorizes the letting of the contract, not simply to the lowest, but to the lowest *responsible* bidder. As the Supreme Court has held that this vests in the municipal authorities a discretion as to the relative responsibility of the bidders (including not only their financial standing, but also their trustworthiness and capacity to fill the contract), which cannot be reviewed by the courts except on proof of express frauds, the grossest favoritism is possible.

Any one familiar with city affairs, and knowing the vast number of persons dependent, directly or indirectly, upon mu-

nicipal work, and the potent influence of uncontrolled discretion in the character and distribution of public improvements and benefits and the letting of contracts under regulations such as these referred to, will easily recognize the fact that the existence of such a system is a constant menace to the interests of the people and incompatible with free government.

There are two factors in Pittsburg which contribute largely to the perpetuation and power of this combination.

One is the firm engaged in city contracting, to which, as the city controller testified a few months ago when a witness before a Senate Committee, the contracts for public work principally go, and whose work must be accepted or condemned by the head of the Department of Public Works. The most prominent member of this firm, the chairman of the Republican City Committee, is serving his second term in the State Senate and is largely interested in the passenger railway combination; his official positions and the very large number of persons employed by him in these works make his political influence extremely potent.

The other is the street car companies. Under the Constitution of Pennsylvania no passenger railway can be constructed in any city without the consent of the municipal authorities. This provision, intended for the protection of the people, has been made an instrument of oppression. In the grants of franchises to these companies the grossest favoritism has been shown; every demand of the favored individual has been instantly granted, while competition with them has for years been discouraged; franchises of great value have been given to them without any adequate return to the city, either in the way of bonus, taxation or the maintenance of the streets over which they run. (The annual tax paid by all the companies is less than \$15,000; they are required by law to pave and keep in repair that portion of the street between their tracks, but while they did in the construction of their roads repave between the tracks, the requirement to keep them in repair has been construed very liberally in their favor and very laxly complied with).

In this way large private fortunes have been made for the favored individuals and a strong political power created. This year the principal lines have been consolidated under one organization, the head of which is acknowledged to be one of, if not the most, influential man in the control of city politics.

Mutual good will and favor between these two interests and the heads of the departments is of vital importance to them all.

That an association exists between these interests for the control of our city affairs is well known: that it is intended to promote the private interests of the parties to it, and is fraught with danger alike to the interests of the taxpayers and the liberty of the citizens, has been clearly shown by disclosures made in March last.

During the late city campaign, the chairman of the Republican City Committee and the head of the Department of Public Safety went to Washington and submitted to the Chairman of the Republican State Committee, who was at the same time a United States senator, a draft of an "agreement" (?) to be made between them, and to be "ratified" by the head of the consolidated street car lines. The agreement (which fortunately was not perfected) recited its purpose to be to promote "the mutual political and *business advantage*" of the parties to it: to promote this purpose the senator was to secure the support of his friends and associates for the Republican city ticket, and "discourage all factional fighting by them for county offices," and to give his hearty "co-operation and help" to "legislation which may affect their [the proponents'] business;" in return for which they were to secure the election from Allegheny County of delegates to the State and National Conventions, and senators and representatives in the legislature who would "be guided in all matters" by his wishes.

Comment is unnecessary on such a proposition, which assumes to trade in public franchises, legislation and offices, including even the representatives of a free people in the legislature of the State, as though they were private property. It is sufficient to say that it clearly displays the character and purpose of the "association."

No condemnation can be too severe. It was not only an attempt to bribe an official to use for private advantage the great powers and influences entrusted to him to be used solely for public benefit, but it was also an offer to reward his turpitude, not with their own means, but by the betrayal of the confidence and political influence of a whole community, whose representatives in both the legislature and political conventions should be delivered over to his guidance and control.

There is no bureau or department of supplies for the city, nor any officer exercising a general supervision over their necessity, distribution and use, and the accounting for old materials, much of which is valuable and should be sold for the benefit of the city. This matter is left to the uncontrolled discretion of the respective departments, a system which no private company would tolerate.

The legislative powers of Councils are exercised by resolutions or ordinances. An ordinance cannot contain more than one subject, or become a law on the same day on which it is first introduced or reported, and requires for its passage the affirmative votes of a majority of all the members elected to each branch. Before it can become a law it must be submitted to the mayor for his approval. If he approves it, or fails to return it within the time fixed, it becomes effective; if he disapproves it, it may be passed over his veto by the affirmative votes of three-fifths of the members elected to each branch.

The purpose of the provision that no bill shall become a law on the same day on which it was introduced or reported is easily defeated by the introduction of blank ordinances, which can be immediately referred to the proper committee and knowledge of what is intended kept from the public until arrangements for its passage have been perfected, thereby preventing public comment or opposition.

Tax and appropriation ordinances must be passed annually. The law requires this to be done in the month of February, but it is never done until after the municipal elections.

The appropriations are all embraced in one ordinance. It

is introduced in blank and referred to the Finance Committee, which perfects it in secret session and reports it to Councils when ready for passage. It appropriates specific sums for specific purposes. For many years this was held to convey authority to the heads of the respective departments to which the different subject-matters belonged, to contract for the expenditure of the amount named, the contracts being reported to Councils and approved by a *viva voce* vote without being submitted to the mayor for his approval. A few years ago it was decided that this was illegal, and that all contracts must be made by ordinances which must be submitted to and approved by the mayor or passed over his veto. But large sums of money are disbursed annually by the departments for many purposes for which no contract is made. These disbursements are made under the arbitrary direction of the heads of the respective departments without the control of either the mayor or Councils so long as they do not exceed the amount mentioned in the appropriation ordinance. In the matter of the improvement of the parks alone, hundreds of thousands of dollars have in this way been expended by the head of the Department of Public Works; he determines the location and character of the roads, bridges and other improvements, and changes them when he sees fit without any control or supervision whatever. The legality of this practice is, to say the least, very questionable and its improvidence clear.

The main part of the city is supplied with water from works owned by the city and erected by general taxation; what is called the South Side, however, is supplied with water by a private corporation, which is prohibited from charging higher water rents than those charged by the city itself.

Until this year the water rents, which are fixed annually by Councils, were nearly if not quite double the cost of furnishing the water. While the exaction of excessive rents by the city itself was simply an improvident system of raising revenues, those paid on the South Side inured to the benefit of a private corporation; this led to continuous complaint from the rent-payers and the public press, but without any effect until this

year, when Councils ordered a small reduction, but the amount charged is still greatly above cost.

The water is taken from the Allegheny and Monongahela Rivers; there have been great complaints of the impurities of the water supply, particularly from members of the medical fraternity, who attribute to this cause the continual prevalence of typhoid fever. Attempts have been made to induce the city authorities to take steps to secure the filtration of the water, but as yet without success.

Public light is furnished by private corporations, the city having no plant of its own. There is an old contract by which one of the gas companies is required to furnish a large quantity of gas for public use free of charge, but for years only a very small part of it has been called for.

The city treasurer receives all taxes, water rents and assessments (except such assessments for damages for paving and grading streets, which are primarily payable to and disbursed by the city attorney), voluntarily paid within certain dates fixed by law, and is required to deposit the money immediately in three banks designated by the finance committee, and approved by Councils, distributing it equally among them unless otherwise directed by that committee.

The city taxes are payable in two installments, one-half in the months of March and April and the other half in September, with the privilege to the taxpayer of paying the whole during the month of March, and receiving in consideration therefor a discount of five per cent. on the second installment. The water rents are payable during the month of June. The first installment of city taxes becomes delinquent on the first day of May; the water rents on the first day of July, and the second installment of city taxes on the first day of October; thereafter they must be paid to the collector of delinquent taxes, who is elected by Councils for five years, and receives for his services a commission of five per cent., to be paid by the delinquent. As the collector is not required to, and never does, take any steps to enforce payment until one year after the second installment

has become delinquent, the effect of this system is to enable taxpayers to defer payment for that period by paying to the collector for his own use five per cent., which is equivalent to a loan of that amount at the rate of about four per cent. per annum, a much more favorable one than can be obtained in any other way.

The effect of this system is what would be naturally anticipated. Delinquencies have been increasing at a very rapid rate ever since it was adopted, thereby making the office enormously profitable to the collector. Of the taxes of 1895 nearly, or not wholly, \$1,250,000 became delinquent, from which the collector will realize his commission of five per cent. Besides this, as the full amount of the taxes is appropriated each year, and required to meet the annual expenses of the city, it is yearly obliged to borrow the amount of the delinquencies, and pay therefor interest at the rate of five per cent. to close over the gap.

There are two other very vicious points in this system. In the first place the collector is only required to turn over his collections monthly; in the second place, at the end of the year after the second installment has become delinquent, he is required to advertise the names of all delinquents and the amounts due in five daily papers. It is true that the cost of the advertisements are charged to the delinquents, but it is always paid in the first instance by the city, and in no instance has the full amount ever been repaid. As the rate paid is very heavy, and the delinquencies are continually growing, it is a continually increasing burden to the city, without any corresponding benefit to any person except the favored papers, which have been heretofore selected by the collector, at his own discretion, and as the rate paid is very large and liberal, the power of selection gives him a very influential patronage.

The first general movement towards the improvement of the new districts of the city was commenced about 1870, under a series of acts called the Penn Avenue Acts. This system contemplated the improvement of the streets by commissions elected by the property owners, the money necessary to pay for the opening, grading and paving of the streets to be raised by

selling bonds of the city, but ultimately to be assessed on the property fronting thereon. A large number of streets were improved under this system at a cost of several millions of dollars; a small part of the cost was voluntarily paid by some of the property owners, but others resisted, and the Supreme Court decided the acts unconstitutional, and the city found itself burdened with a debt of about \$6,500,000, the amount of bonds still outstanding at the time the decision was made. This, and the panic of 1873, with the accompanying depreciation of property, deterred improvements for many years.

With the revival of prosperity another movement was made in the same direction. New acts were prepared and passed providing for a different system of improvement, but also at the cost of the property fronting thereon, under which the city involved itself in the expenditure of about \$2,500,000, expecting to collect the amount from the property specially benefited. These acts were also decided unconstitutional, but with the aid of private counsel acts were prepared, called the "Curative Acts," which were sustained by the Supreme Court, under which the city has been able to save itself from this burden and collect the amount by assessments on the properties.

When preparing the so-called "curative" legislation the same counsel prepared a system providing for the opening, grading and paving of streets, which was passed by the legislature and has been sustained by the Supreme Court.

This act contained a provision that the improvement should be made only on the petition of a majority of property owners. This limitation on their power proved unsatisfactory to the city authorities, and at the last session of the legislature an act was secured authorizing the opening, grading and paving of streets at the expense of the property owners without their consent. Proceedings have been commenced under this new provision, but no work has yet been finished, and consequently its validity has not yet been tested.

The main sewers in the new part of the city were built under a system providing for the assessment of the cost on the



properties benefited. The amount expended on this work has been very great. The Supreme Court has recently decided that the cost of these main sewers could not be collected from the property owners. Fortunately for the city, however, the property owners had voluntarily paid the bulk of the assessments, and the loss to the city will be comparatively very light, and as the main sewers have nearly all been built, it will make very little difference to the public.

While there has been much to give the citizens just cause of complaint concerning the management of the sinking funds of the city, still, owing to the admirable provisions of the Constitution, there was from 1874 until about two years ago a steady, and during the latter part of that period, a rapid decrease of our bonded indebtedness. Within the last few years arrangements have been made to increase our debt \$6,250,000. A large part of the additional indebtedness has already been incurred, but even when all incurred the total debt will not be as great as it was in the past, the percentage of the debt to the valuation will be very much less, and a compliance with the constitutional requirements, which is unavoidable and certain, will secure its continuous reduction and ultimate extinguishment.

In spite of bad municipal management, our city has developed greatly in the past, and there is promise of still greater development in the future. We have two parks (one the gift of a lady, who is a large property owner in the city), which in a few years will add greatly to the healthfulness and attractiveness of our city life; we have grand conservatories, the gift of another property owner; and we have the commencement of a magnificent system of public libraries, the gift of another property owner, which, when completed, will be one of the finest in the world.

Many miles of new streets have been opened, graded and paved at the expense of the property fronting thereon, and many more miles of old streets have been repaved at the expense of the city.

We have just completed a public bridge across the Monon-

gahela River, connecting the South Side with the main city; two other bridges over the same stream have just been purchased from private companies and made free; a third one, and the only one remaining, has been practically purchased from another company, but it has not yet been taken possession of by the city.

With increased and constantly increasing transportation facilities our manufactures and commerce have grown to gigantic proportions.

The taxable valuation of our property, as shown by the last assessment, is \$287,322,894. Our population, according to the census of 1890, was 241,217; this, however, is no proper basis for comparison with other cities, the territory embraced within our corporate limits being so small. If the corporate limits of all the cities were extended so as to make them equal in area with Chicago, and no territory added to Pittsburg but what, in manufactures, commerce and financial exchange, is properly connected with and tributary to it, it would take its place as either the fifth or sixth city of the United States.

This is the proper test: No two cities in the country have the same corporate limits, therefore comparisons based on them must be deceptive. Only a comparison based on limits fixed by the laws of trade, grouping together only those areas which are closely united by common interests, will properly determine the relative positions to which different communities are entitled in population, manufactures and commerce.

When, in December last, the Citizens' Municipal League of Pittsburg commenced its movement for reform the cause seemed hopeless. The citizens had been disheartened by frequent defeats and failures; the forces arrayed against them were confident from continued victories, and seemed to be unconquerable.

The abuses of administration were entrenched by law; the heads of departments had just been re-elected for four years, the ring organization was perfect in every detail; its members were held together by the cohesive force of public plunder, and its managers had ample sources on which to draw for all the money

which might be needed for any purpose, and had the influence which flows from the absolute power to distribute the public patronage, franchises and improvements; and it was supported by thousands of voters who were dependent on city work and knew that active, willing and efficient service was the price they must pay for the opportunity to earn a living for themselves and family.

For six weeks our campaign was waged in every ward and school district in the city; with the result that on a total vote of 39,812, nearly seven thousand more than the largest vote ever polled in the city at any election, national, State or local, the majority against us on the face of the returns was only 1292, and the officers and attorneys of the League charge and expect to prove in the contest now pending that this majority was secured only by gross violation of the law and fraudulent counts.

This indicates an aroused public sentiment in the community, which is the first step towards reform; with this and a new charter, of which we have a reasonable assurance, we have cause to look forward to a bright future, in which prosperity and good government will secure for us and those to come after us a great city, where "life, liberty and the pursuit of happiness" will be secured to all, and every man can enjoy the fruits of his own labor in health and peace.

## CHICAGO SINCE THE ADOPTION OF MUNICIPAL CIVIL SERVICE REFORM.

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MERRITT STARR, Esq.

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You have asked me to give a description of the workings of the municipal machine in Chicago since the adoption of the civil service law. I have stated here in my notes an abstract of the Illinois civil service law and an abstract of the rules of the Chicago Civil Service Commission, but anticipating that you will bid me "skip all that," in the language of the bellman as reported in the baker's tale in "The Hunting of the Snark," I shall be satisfied with leave to print this portion and pass directly to a sketch of the work.

On July 1, 1895, in obedience to the act the present Civil Service Commission of Chicago was appointed, consisting of Mr. John M. Clark, Mr. R. A. Waller and Mr. Christopher Hotz. These gentlemen were all successful business men and evidently qualified for the service, Mr. John M. Clark, presiding officer, having theretofore served irreproachably and with signal ability in succession as an alderman of the city, as a member of the School Board and, from 1889 to 1893, as collector of customs for the port of Chicago. Mr. Hotz had served with credit for a term of six years as a trustee of the Chicago Sanitary District and Mr. Waller for a term of years as one of the Board of Commissioners of Lincoln Park. All had already had practical experience in responsible administrative offices. As collector of customs for the port of Chicago Mr. Clark had acquired a practical familiarity with the workings of the federal civil service system, which has proved of great value in the difficult work of organizing and classifying the civil service of the city.

In describing their work I have found it convenient to pre-

sent first of all the following abstract of the report made by the Commission themselves :

The first work of the Commission (in the language of their annual report for 1895) was "the classification of the offices and places of employment and the formulation of rules and regulations to carry out the purposes of the act." In the accomplishment of this work it was very greatly assisted (they, the commissioners, say) "by Mr. John T. Doyle, secretary of the National Civil Service Commission, who visited Chicago, remaining about five weeks with the Commission upon its invitation and at its personal expense." On August 14th the Commission promulgated its classification of the offices and places of employment and rules and regulations; and on August 26th, after ten days' notice, pursuant to the law, the classification and rules went into force and the distribution of blank applications for admission to the classified service began, more than two thousand being given out on the first day. The classification provided for two general classes, one designated "official service," and including all places of employment in the city service not exempted from the law, excepting the labor service, and constituting, as a whole, the positions which are permanent in character; and the other, designated the "labor service," including all skilled and unskilled workers, and, as a rule, positions which are more or less temporary. In the period of four months and five days, expiring December 31, 1895, some twenty thousand five hundred application blanks had been dealt out to applicants, fourteen thousand for the official service and sixty-five hundred for the labor service. Of these, twenty-two hundred and seventy-three correctly made applications for official service and fifteen hundred and fifty-two applications for positions in the labor service were returned and filed with the Commission. Early in September a general board of examiners, consisting of seven members, was appointed, concerning whom it may be said that their names were a sufficient guaranty to the citizens of Chicago that the Civil Service Commission intended to secure the best possible enforcement of the law. They were Mr. W. K. Acker-

man, chairman, late comptroller of city finances and comptroller of accounts for the World's Columbian Exposition; Mr. Rollin A. Keyes, secretary; John A. Moody, deputy commissioner of public works; Rabbi Emil G. Hirsch, of the public library board; Captain A. F. Campbell, secretary of department of police; Marshall Charles S. Petrie, secretary of fire department; Henry T. Carr, secretary of health department. "In conducting physical examinations for entrance to the police and fire departments, the Commission has adopted the method or system originated by Dr. A. H. Brown, of New York. This system has long been used in the cities of Boston and New York and other Eastern cities. It has given most excellent results in practical operation. At the request of the Commission Doctor Brown came to Chicago to personally superintend the first physical examination of candidates for entrance to the police and fire departments and to instruct the employees of the Commission in the practical operation of his method, which he allowed to be used by the city without charge."

"The rules of the Commission as originally published contained a provision that no person would be admitted to examination for a position in the official service who was more than forty-five years of age at the date of the examination. It was claimed that this rule practically barred from the service many citizens in every way well qualified for appointment, including many of the veterans of the late war. To avoid even a semblance of injustice the rules were changed so as to abolish the maximum limitation as to age, and in its place were substituted tests of physical qualifications and health, as required by law. It is interesting to note, however, that of the twenty-two hundred and seventy-three applications for employment in the official service, which were returned to the Commission in the first four months, only about five per cent. were over forty-five years of age."

The report of the Commission shows that in these four months fifteen hundred and fifty-two applications, in due form, were filed for positions in the labor service. Of these applicants

four hundred and eighteen finally reached the examination, and of these three hundred and seventy-seven passed the examinations, making about ninety per cent. who passed examinations. Out of these three hundred and seventy-seven eligibles eighty persons have been appointed. In the official service there were twenty-two hundred and seventy-three properly filled out applications and thirty-one examinations. Of these applicants fourteen hundred and ninety completed the examinations, and of that number five hundred and thirty-five passed, making about thirty-six per cent. Of these five hundred and thirty-five eligibles one hundred and fourteen have been appointed to office.

Of these five hundred and thirty-five, three hundred and sixty had enjoyed only common school advantages in education, one hundred and forty had had high school advantages and thirty-five were college graduates. These results of the examinations destroyed at once the force of the contention so often made, that the civil service system of examinations discriminates in favor of the college graduate. Another fact worthy of note is that of this five hundred and thirty-five four hundred and twelve were American born and one hundred and twenty-three were foreign born. This meant simply that the foreign-born residents who had become citizens of the United States and had resided for a year in Chicago, were considered by the examiners on their merits, and that, tested by their merits, twenty-three per cent. of the successful applicants were foreign born.

The Commission has pursued a commendable policy of openness and publicity in the performance of its duties. The names of successful applicants have been posted upon the bulletin boards of the Commission as soon as they were entered upon the records and in the order of their standing. Promotion examinations have been held throughout the entire fire department, and (say the Commission) "the results have been such as to commend to the Commission that portion of the law which makes promotion in the classified service, as well as

original entrance to it, depend solely upon merit." This is a cause of great satisfaction. It has frequently been said that even if the merit system of examinations was desirable for original admission to the civil service, yet that good, practical men in charge of public work could best tell whom to promote. The experience of the Chicago Commission agrees with that of disinterested men everywhere, that thorough, systematic examinations are the best possible methods of regulating promotions as well as admissions to the service.

The application blank contains nineteen questions which he must answer in his own handwriting and swear to. He must further obtain vouchers of three responsible citizens of Chicago for good character and habits and one from a competent physician as to health. These are valuable as a preliminary sifting, but only as a preliminary. The chief examiner reports that "an individual with one leg and partial paralysis filed an application bearing the signature of an authorized medical practitioner testifying to his absolute physical and medical soundness."

The medical examination, which is believed to be very thorough, results in excluding about one-third of the applicants for police and fire service. The physical examination as to measurements, development, strength and agility usually eliminates about twenty-five per cent. more. Fifty-nine and a half per cent. of applicants for police and fire departments failed to pass the medical and physical tests. The practical character of the examinations is insisted on in every instance. For example, to quote a summary of the chief examiner, an applicant for a position as an engineer is given in addition to the educational paper, a series of questions relating to the practical duties of the position, these papers being very carefully prepared by engineers of high standing. The same principle obtains in the health department; men who apply for positions as meat, milk, smoke, tenement or medical inspectors, fumigators, chemists are given supplemental papers prepared by experts in these lines of work. The man who wishes to be a driver in the police or fire department is given an additional paper as to the care and manage-



ment of horses. In the former department he is given a practical test with a patrol wagon and a pair of spirited horses. \* \* \*. In cases where any special knowledge is required the educational examination is supplemented by special questions that are marked by specialists in the line of work to which they appertain.

The Commission in their report disclaim sufficient experience to enable them to suggest any defects in the law, and say: "The Commission, however, would respectfully call attention to the fact that, as under the law, all future promotions must be 'based upon ascertained merit and seniority in the service,' some form of record should be kept in each department in justice to the employees from which their relative merits may be ascertained. Such record should show, so far as practicable, the daily attendance, punctuality, accuracy, ability and general efficiency of such employee, and would be an important factor in his examination for promotion.

Among the most important questions to be dealt with by the commissioners was the relation of the law and the system which it had introduced to the existing force of employees of the city at that time. Upon this legal question the Commission asked and received the official opinion of the corporation counsel of the city, in which he held that persons who were in the employ of the city on the date of August 26, 1895, when the civil service law became applicable, *i. e.*, when the places of employment in the city were classified and the classified service became established, became members of the classified service by the operation of law. Speaking of this, the Commission in their annual report say: "This decision has several important bearings on the persons to whom it applies. First, they have the exclusive right to examination for all *promotions* in their respective branches of service; second, they are protected from political assessments, as the law makes it a misdemeanor, punishable by imprisonment, to solicit from them, either orally or by letter, any assessment, subscription or contribution for any party or political purpose whatever; third, they are reasonably secure in

their positions so long as they render satisfactory service. Experience under the national civil service law has shown that the inability of an appointing officer to fill a vacancy removes the chief temptation to make one. An executive officer, responsible for the administration of a great department, will hesitate long before removing a man who is doing good service when he has no means of knowing who will succeed to the vacancy."

On a recent occasion the president of the Commission said: "The first act of the Commission under the law was to ask from the heads of each department a list of all the officers and employees in their various departments. Under the order of the mayor these lists were promptly furnished us by the heads of all the departments with but two exceptions; those exceptions were the departments of education and the city treasurer, and in regard to those two departments legal questions were involved which have not yet been settled. \* \* \* From the date of the appointment of the Civil Service Commission Mayor Swift has loyally sustained this Commission. \* \* \* The comptroller has also sustained the Commission to the full extent of his authority and power. At the suggestion of the Commission he sent a letter to the heads of all departments informing them that, as the law had gone into effect, no pay rolls would be received in his office until they had been first certified by the Civil Service Commission, and since the law has been in effect not a dollar has been paid in the city of Chicago (for service) until the Commission has passed upon the pay rolls and found they were in accordance with the civil service law."

This leads to a consideration of the results of the few months' enforcement of the law. It is too early to expect great and striking changes. The preliminary work has necessarily been slow. A "clean sweep" in the name of civil service reform would be inconsistent with the spirit of the reform as well as very difficult to accomplish. That in the first two months of their official duty the Commission should succeed in classifying so large a body of positions in the public service (about fifteen thousand in all) was unexpected. That they should

formulate a complete set of rules and conduct forty-seven examinations upon thirty-eight hundred and twenty-five candidates who actually presented themselves for examination; that they should pass nine hundred and forty-nine of them and exclude twenty-eight hundred and seventy-six of them, and succeed in certifying a hundred and ninety-four of these to the appointing power, and so succeed in setting them to work as public servants of the city in the first four months is as large an amount of work as could have been reasonably expected in that length of time from any body of commissioners.

Between January 1, 1896, and May 1, 1896, thirty-four entrance examinations were conducted. Ten of these occurred during the last part of April and the markings thereon are not yet complete. At the other twenty-four examinations four hundred and forty candidates were examined and two hundred and forty-three passed.

That the system of competitive examinations for promotion should have been established and applied to the entire fire department during the first half year is a step in advance of all former precedents.

The policy of the Commission has been conservative, and in some particulars rather more cautious than the aggressive friends of the reform might have preferred. The law empowers the Commission to conduct trials upon charges against persons holding positions in the classified service, and protects such persons against removal, except for cause, shown in writing, and proved to the satisfaction of the Commission after a hearing thereon, in which the men accused are entitled to be heard in their own defense; and the cause of removal is required to be recorded in a public record. Many friends of the law believe that it authorizes the Commission to investigate the entire classified service, and wherever complaint is developed by such investigation proceed to try the same. The Commission have deemed it wise to refrain from such an aggressive policy, and to devote themselves to perfecting the working of the system of examinations and appointments, leaving the matter of com-

plaints to be developed by the administrative authorities; but, of course, to hear and decide impartially all complaints when presented to them by the administrative authorities as an introductory policy this has doubtless been expedient. The extent to which it will be wise to pursue it must be left to the future to determine.

The remarks quoted from the president of the Commission show that the abolition of the evil of stuffed pay rolls was the direct effect of the civil service law. No man can receive any money for services rendered the city and no officer of the city can pay out any money as wages or salary to an employee of the city unless that employee holds his place in compliance with the law and is certified to so hold his place by any commission.

In years past misconduct of the police on election day has been the subject of common complaint. One important municipal election has been held in the city since the Commission began work, that for aldermen on April 7, 1896. Competent observers state that the police did their duty on that occasion far more effectually and with much less grounds for complaint, and caused much less complaint in fact, than has occurred at any election in the city for ten years past. It is not difficult to say why. There was no reasonable likelihood of their official positions being interfered with either by present officeholders or by the aldermen elect, and hence the ordinary motives for using their influence or positions for or against any candidate or for any other misconduct were lacking; and the motive for good conduct and avoiding complaint to the Commission was decidedly present.

Incidentally, it may be noted that thirty-four aldermen were to be elected at that election, and that twenty-one of the thirty-four who were elected were the candidates indorsed, and, in some instances, originally nominated, by the Municipal Voters' League, an organization which had only come into existence one month before. The League did not do it all; the civil service law did not do it all; but these two factors together were

of more importance than any other factor in that municipal election; and it may fairly be said that a chief reason why the Municipal Voters' League succeeded in that campaign, when other similar movements had failed in the past, was that the civil service law went far to secure a fair field in which such a trial could be made.

The outlook for the future gives reasons both for anxiety and for hope. The enemies of the law have made no secret of their dislike for it and their intention to cripple its efficiency in the execution, and, if possible, to secure its repeal. The friends of municipal reform are apt to be weary, or to be absorbed in business, or to be silenced by the din of a presidential campaign, and there is danger that a reactionary legislature will be elected to repeal it.

The interest of the enemies of the law stands in contrast to those of the good citizens who secured the passage of the law and favor its retention in the well-known proportion of three hundred and sixty-five to one. The politician is interested every day in the year; the good citizen on election day; and yet the public opinion which crystallized in a majority of fifty thousand votes in favor of the law at the referendum in April, 1895, is too strong for any politician to openly defy. The chief task before the friends of reform is to maintain the public opinion already established. This can be done by the vigorous presentation of the valuable results of the law and a familiarizing the public with the positive benefits which have flowed from it.

Another danger exists in the fact that mistaken notions of the scope and extent of the reform have been entertained by well-meaning people who have not been accurately informed. The civil service law does not profess to deal with the barter and sale of franchises by aldermen; it does not profess to deal with iniquities in the system of special assessment for improvements; it does not profess to reform the revenue system of either the city or the State; it does not deal with the jury briber, the ballot-box stuffer, the falsifier of election returns, the corrupt practices at elections, nor with the evils of gambling nor

with the curbstome confidence men, who are supposed by our rural friends to constitute so large a portion of the city population. Indirectly it may be said that the civil service system tends to lessen every one of these evils by leading to greater efficiency on the part of the public servants, and by reducing the opportunities of corrupt men to acquire power and perpetuate themselves in power; but the specific purpose of the law must be kept clearly in mind. That purpose is to secure the best public service, and as means to that end to make the fitness of the servant the basis of his appointment and warrant for holding and retaining office, and to take the subordinate positions in the public service out of politics.

Disappointed well-wishers, who have mistakenly expected immediate and complete transformation of public service, public order and politics to follow the adoption of the law are apt to give expression to their disappointment; and these expressions may be seized on as acknowledgments of the total failure of the law.

The methods which were used to promote the passage of the law are the most instructive feature of the whole movement. A large number of reforms was presented to the legislature of 1895 by different bodies of public-spirited citizens; the civil service law was the only one which succeeded. The reason for its success, in contrast with the failures of the other attempts, is easily found. First of all, it had been presented five times before. Ten years of education had led up to the victory. But to return to the methods used. At the instance of several organizations interested in securing its passage, the president of the Union League Club of Chicago called a conference of delegates of one hundred and twenty clubs and political organizations of the city. The delegates from these one hundred and twenty clubs resolved at that meeting to devote the entire influence of all the organizations to this one reform until it should be adopted. The unifying of the efforts of the many bodies upon the one measure was the secret of success; it was well compared to the action of the members of the National Convention of France in 1789,

who resolved that they would never adjourn until they had given a constitution to their country.

If I may make a suggestion to the friends of municipal reform who are gathered and represented here it would be that an agreement be reached upon a municipal programme in which should be determined the order in which the several questions of reform should be taken up and carried to accomplishment, and that the friends of all the reforms should sink personal preferences for particular measures and unite in laboring for the accomplishment of the reforms embodied in the programme in the order in which they shall there be presented.

This does not mean that the same programme in the same order should necessarily be taken for every city nor every State, but that this League should recommend the adoption of such a programme in each city and in each State by all the workers thereof, and that the work of the reformers be united upon the measures presented in the programme.

#### ADDENDUM.

##### ABSTRACT OF ILLINOIS LAW REGULATING CIVIL SERVICE OF CITIES.

The act provides (Section 1) that the mayor of each city, which shall adopt the act, shall appoint three civil service commissioners, who shall hold each for terms of three years, one retiring each year, and that they shall hold no other lucrative federal, State, local or municipal office.

Section 2 authorizes the mayor, in discretion, to remove for incompetence, neglect of duty or malfeasance, and requires him to report his reasons in writing for such removal to the City Council within ten days thereafter.

SECTION 3. The commissioners shall classify all (with certain exceptions reasonable in themselves) offices and places of employment in the city with reference to examinations for the filling thereof, and no appointments to any such classified offices or places shall be made, except in accordance with the rules to be made by the Commission.

SECTIONS 4 and 5. The Commission are to make a public report, and from time to time amend rules for examinations, appointments, removals in and from the classified service, and to carry out the purposes of the act.

SECTION 6 provides the customary civil service section as to examinations for admission to the classified service. It expressly makes the examinations free to all citizens of the United States, and excludes unnaturalized aliens thereby.

Section 7 provides for notice of the examinations.

Section 8 for the register or list of eligible candidates who have passed the examinations, and provides that they take rank thereon according to their relative excellence in the examinations, without reference to the time of examination.

Section 9 provides that promotions shall be regulated by rules providing therefor on the basis of ascertained merit and seniority in service, the merits to be tested by examination, and that such examinations for promotion shall be competitive among all such members of the lower rank as desire to submit themselves to examination therefor. In case of promotions the Commission honor a requisition for appointment by the three highest names.

SECTION 10. In case of original appointments the highest name, and only the highest name, is certified for each place mentioned in the requisition.

Section 11 excepts from the classified service officers elected by the people or the Council, pursuant to city charter, or whose appointment is subject to confirmation by the Council, judges and clerks of election, members of the board of education, superintendent and teachers of schools, heads of principal departments, members of the law department and one private secretary for the mayor.

Section 12 provides for removals only on written charges and opportunity to the public servant to be heard in his own defense, but saves the power of suspension, not exceeding thirty days.

Section 14 provides for investigations by the Commission of the enforcement of the act, and of their rules and of the action



of examiners, and gives them power to administer oaths and subpoena witnesses and compel production of books and papers (which subpoenas Section 33 requires shall be obeyed by all persons on whom they may be served).

Section 15 provides for an annual report by the Commission.

SECTION 16. For the office of chief examiner and *ex-officio* secretary of the Commission to be appointed by the Commission.

SECTION 17. Municipal officers are required to aid in enforcing the act and to afford the Commission reasonable use of public buildings for offices, examinations, etc.

SECTION 18. Salaries and expenses are provided for by a graded list for different cities according to their population.

Section 19 prescribes certain rules as to appropriations and requires the mayor to pay salaries and expenses for each fiscal year out of the moneys appropriated for contingent purposes by the municipality or any other moneys not otherwise appropriated.

Sections 20 to 28 prohibit various frauds in the administration of the law; also prohibit political assessments on employees or officers, their solicitation or reception by officers or any public offices; also prohibit abuse of official influence, payment for places, recommendations, instruction of political service and improper use of political position or influence in a variety of ways.

Section 29 forbids that any claim for service in violation of the act shall be allowed by any accounting or auditing officer.

Section 30 requires the Commission to certify appointments and removals to the comptroller; and Sections 31 and 32 forbid paymasters and comptrollers to pay any salary or wages to any person unless he is occupying office and entitled to pay therefor in accordance with the act.

Sections 34 to 36 provide for penalties and prosecutions, 37 repeals conflicting laws, 38 and 39 provide for a referendum to the voters of any city for adoption, which is made compul-

sory upon a petition of one thousand voters, or, in the case of smaller cities, one-eighth of the voters.

Section 40 recites an emergency and provides for the immediate taking effect of the act.

## CHICAGO CIVIL SERVICE COMMISSION.

### ABSTRACT OF RULES.

#### *Rule I.—Classification.*

1. Unclassified service. Recites Section 11 of the act and places omitted from the classification, and constitutes the same unclassified service.

2 and 3. Classified service. All other places constitute same. Two general classes made: Class A, of a permanent character and known as "official service;" Class B, of temporary employments known as "labor service."

4. Divides official service, Class A, into twelve divisions, based on the nature of the service, as consisting of:

- |                               |   |
|-------------------------------|---|
| <i>a.</i> Medical service.    | <i>g.</i> Mechanical engineers.         |
| <i>b.</i> Civil engineering.  | <i>h.</i> Bridge service.               |
| <i>c.</i> Clerical service.   | <i>i.</i> Inspection service.           |
| <i>d.</i> Police service.     | <i>j.</i> Janitor and elevator service. |
| <i>e.</i> Electrical service. | <i>k.</i> Library service.              |
| <i>f.</i> Fire service.       | <i>l.</i> Miscellaneous service.        |

Each division is divided into grades, based on compensation, grade 1 having compensation at less than \$800 per annum.

Grade 2 . . . . .	\$800 to (less than) \$1000.
" 3 . . . . .	1000 " " 1200.
" 4 . . . . .	1200 " " 1400.
" 5 . . . . .	1400 " " 1600.
" 6 . . . . .	1600 " " 1800.
" 7 . . . . .	1800 " " 2100.
" 8 . . . . .	2100 " " 2500.
" 9 . . . . .	2500 " " 3000.
" 10 . . . . .	3000 and over.

5. The existing systems of rank and official designation in the police and fire departments are preserved, and examinations for promotion based on those systems of rank are authorized.

*Rule II.—Class A, Official Service.*

1. Citizenship and residence in the city for one year prior to date of examination are required.

2. Candidates must be twenty years of age, except for positions as pages and messengers, where they must be not less than seventeen.

3. Waiver of age and residence in special examinations requiring technical, professional, scientific knowledge, or manual skill of a high order, are authorized.

*Rule III.—Application.*

1. Must be made on blanks and in forms provided by the Commission.

2. Good moral character, temperate habits, sound health and physical ability required.

3. Moral character made paramount in determining right to examination of applicant.

4. Burden of proving good moral character is placed upon the applicant, who may be required to furnish evidence thereof additional to the certificates required.

5. Failure to prove good character to the satisfaction of the Commission will exclude applicant from examination. Proof of bad character shall be cause for dismissal from examination, or for removal from a register of eligibles after examination.

6. False statements knowingly made by applicants are ground for exclusion from examination, or from register of eligibles, or for removal during approbation or from service, but the right of the applicant to be heard in defense is secured from the time when he is placed upon the list of eligibles.

7. Defective applications will be returned with opportunity for amendment, but not more than two opportunities for amendment will be afforded.

8. With the exception noted in Section 7, applications and certificates accompanying same will be kept on file and not returned to applicants.

9. The number of applicants to be examined at any time may be limited, in which case applicants will be admitted to examination in the order of filing proper applications.

*Rule IV.—Examinations.*

1. Character of examination. Impartial, practical in character and having paramount regard to matters which will fairly test the relative capacity and fitness of the person examined for the service which they seek to enter.

2. Political or religious opinions not to influence appointments.

3. Place and time of examinations shall be advertised by two weeks' notice (this is done by posting on the bulletin board and advertising daily in the official newspaper designated by the Council for advertising purposes).

4. Subjects of examination shall be designated by the Commission, such as the needs of the service require and as tend to prove qualifications of the applicants, and may include special tests of fitness for particular places having special requirements, technical, professional, scientific or manual.

5. How graded. Proficiency in any subject shall be graded and credited to the applicant in proportion to the value of such proficiency in the service which the applicant seeks to enter. Similar proportional credit for physical qualifications and health required. Relative weight of each subject shall be fixed by the Commission for every examination.

6. Applicant must obtain seventy per cent. to be placed on register of eligibles.

7. Physical examinations, to determine physical qualifications and health, to be conducted by physicians in the service of the city or specially appointed by Commission.

8. All questions for examinations must be first approved by the Commission. The conduct of examinations and markings of the papers shall be under their supervision.

9. A general board of examiners, consisting of three persons, shall prepare and mark the papers for entrance examinations. Such board shall be composed of persons in the public service detailed for duty at the office of the Commission, or of such other persons not in the public service as the Commission may from time to time designate. They shall prepare and mark papers as the Commission shall direct. Special boards of examiners and auxiliary members of the general board are authorized in preparing questions and marking candidates in technical subjects. Members of each of the boards shall not all be of the same political party. The Commission will designate the chairman and secretary of each board, and make such changes in membership from time to time as it may deem proper. Each board shall make such records and reports as the Commission may require, and which shall be open to the inspection of any commissioner and of chief examiner.

10. Each applicant shall be notified of the average he has attained on the examination.

11. No re-examination of a person who has failed to pass allowed within six months. Applicants who pass are enrolled on a register of eligibles and shall not be again examined for one year, and then only upon the drawing of his name from the eligible list and filing new application.

*Rule V.—Register of Eligibles.*

1. All competitors who attain a general average of seventy per cent. shall be eligible for appointment to the place for which they are examined, and shall be enrolled in the order of general average upon proper register of eligibles.

2. Priority and date of examination shall give no advantage in position upon the register.

3. Names shall remain on registers two years unless sooner removed, according to the rules or by appointment.

At the expiration of one year the eligibles shall furnish, upon a form prescribed by the Commission, new certificates of character. (Requires applicant to maintain a good character

from the time he gets upon the list. Cannot lapse from good character and hold his place on the strength of former certificate of character).

4. Candidate on eligible list may accept temporary employment in labor service without losing place on register.

*Rule VI.—Requisition and Certification.*

1. Requisition. Vacancy in official service, unless it is to be filled by promotion, shall be filled by the appointing officer making requisition upon a form prescribed by the Commission for the certification to him of an eligible. The Commission shall certify to him the name of the person standing highest on the appropriate register of eligibles, and that person shall be appointed.

2. Sex. Where requisition, statute or ordinance specifies sex, those of the sex specified shall be certified; otherwise sex disregarded.

3. Waiver of certification; declining of appointment. Eligible whose name is reached for appointment may waive certification or decline appointment tendered on giving reasons satisfactory to Commission without losing place on register.

*Rule VII.—Appointment.*

1. Recites law that no person shall be appointed in the official service except according to these rules.

2. Temporary appointment. Where there is no eligible on the appropriate register and the Commission is unable to comply with the requisition, it may, in its discretion, to prevent stoppage of business or meet extraordinary exigency, allow a temporary appointment for not exceeding sixty days, and only until a regular appointment can be made through an examination.

3. Vacancies not filled by promotion shall be filled by requisition and certification under Rule VII. Such appointment shall be on probation for six months, at end of which, if con-

duct and capacity of appointee have been satisfactory, his appointment shall become complete.

4. Incompetent probationers may be dropped by the appointing officer certifying the incompetency to the Commission, and by the approval of the Commission.

5. All persons appointed to or promoted in the official service shall be assigned to and perform the duties of the place to which appointed or promoted.

*Rule VIII.—Promotions.*

1. Promotions, except as otherwise provided for, shall be from grade to grade, and shall be upon voluntary, open, competitive examination limited to employees in the next lower grade of the department unless the Commission deem it for the interest of the service to admit to competition employees in the same grade and division in other departments. (For example, a man might be performing service in grade three of the electrical service. A vacancy might arise in grade four of division G mechanical engineers. It might in a given case be expedient to throw open the competition for promotion from grade three to grade four in the mechanical engineers to persons in grade three or grade four of the electrical service, and *vice versa*, but in the absence of a special order to that effect the competition for promotion in the mechanical engineers to grade four would be limited to occupants of places in grade three of the mechanical engineers.)

The Commission shall decide in each case whether it is practicable to fill the place by an examination for promotion or by an examination for original entrance.

2. In each principal department of the city service a board of promotion of three persons (not of the same political party) shall be designated by the Commission upon consultation with the head of that department. The Commission shall designate one of the board chairman and another secretary, and may from time to time change its membership.

3. Such boards of promotion, under the supervision of

the chief examiner and by direction of the commissioners, shall assist in preparing and marking papers for promotion examinations.

4. Regular examinations for promotion in all offices shall be held annually, commencing on the second Monday in January in each year. (Is well calculated to encourage stability in the service; it assures every person in city employ that at least once a year he will have a chance to be examined for promotion and show his fitness for an advanced position and salary.) Applicants for promotion are required to record their application at least twenty days before the date fixed. Special examinations for promotion may be held when the Commission deem necessary, but shall be upon due notice.

5. No promotion from any grade of any person shall be made until he has served at least six months in such grade.

6. Character of examinations. Practical and to test the capacity of the applicant for the particular place. Shall cover physical qualifications, health and manual skill, and special examinations in technical matters for promotion may be made.

7. Length of service, the physical qualifications, health, general efficiency shown by past service, shall be given due weight in examination for promotion. Records of punctuality, ability, habits and aptitude. Credit of five points for each year of continuous service will be given in determining seniority.

8. No competitor who fails to secure seventy per cent. at promotion examination shall be eligible for promotion.

9. Register of persons eligible for promotion shall be kept by the Commission.

10. Certification of eligibles for promotion shall be made by the Commission upon requisition of an appointing officer in groups of three in the order of standing. Each eligible shall be entitled to three certifications, and the appointing officer must choose, at least, one name from each certification.

11. Priority of Certification. In certifying from the registers for promotion, when two or more eligibles have the same



general average, preference in certification shall be given in the order of seniority of service.

12. Change of compensation of any position in the service, whereby the grade of the person as established by the classification is changed (whether done by ordinance or otherwise), shall not affect the tenor of the incumbent, unless, in the opinion of the Commission, such change shall involve a change in duties requiring a different examination.

*Rule IX.—Removal.*

1. Recites that removals from the official service shall be only in accordance with Section 12, of the statute.

2. Removal shall be for cause only, upon written charges, and after an opportunity to the respondent to be heard in his own defense.

3. When removal is deemed necessary the appointing officer shall notify the Commission in writing of the ground therefor. Such grounds shall be investigated by the Commission, and the accused shall be given an opportunity to be heard thereon. The finding and decision of the Commission shall be certified to the appointing officer and forthwith enforced by him. Pending the investigation the appointing officer may suspend the accused for a reasonable period, not exceeding thirty days. Such charges shall not be necessary in cases of laborers or custodians of public money secured by bond.

*Rule X.—Reports.*

1. The appointing officers shall report immediately to the Commission.

*a.* Every probational or temporary appointment.

*b.* Every refusal or neglect to accept an appointment by the person certified.

*c.* Every change in compensation of any person in his force.

*d.* Every suspension.

1. Every separation from the service under him by dismissal, resignation or death.

2. Changes or abolitions of office or compensation shall be immediately reported in writing to the Commission by the officer or board making same.

3. Civil list of the city of Chicago kept in office of the Commission containing the name of every person employed in or receiving compensation from the city in the classified service. Same shall show title of office, compensation, time held, length of service and places held, description of duties of office, by whom appointment was made and duration or term of the office.

4. Payment of salaries. No payment for service rendered shall be made by the city or any of its officers to a person in the classified service, unless he was appointed before the rules took effect or was appointed under the same.

*Rule XI.—Police Department.*

All original appointments shall be as second-class patrolmen.

Applicant for a position must, in addition to other requirements, be between twenty-one and thirty-five years of age, not less than five feet eight inches in bare feet, and have a weight and minimum quiescent chest measurement falling within the limits prescribed in a table of maximum and minimum weights and measurements for each gradation in height.

*Rule XII.—Fire Department.*

All original appointments to the uniformed force shall be made to the lowest grade in the several branches, and advancement to higher grade shall be by promotion under the rules.

An age limit of twenty-one to thirty-three years and a minimum height of five feet seven inches in bare feet are prescribed, and a tabular schedule of minimum and maximum weights and of minimum chest measurements are also prescribed.

Former members of the force separated therefrom without their fault may deduct from their actual age any time not ex-

ceeding five years, during which they have continuously served in the department.

*Rule XIII.—Class B, Labor Service.*

Extent of labor service. It includes all places of employment within the scope of the act not included in the classified or the official service.

*Rule XIV.—Citizenship, Residence Qualifications and Age.*

1. Citizenship of the United States and residence for one year in Chicago, next preceding the date of the examination, are required. Mechanics must have served not less than four years as journeymen at their respective trades.

2. Twenty years is fixed as a minimum age for labor service, excepting for minor places, errand boys, water carriers, etc., where fifteen years is the minimum.

*Rule XV.*

Form of application is limited as in Rule III.

*Rule XVI.—Examinations.*

1. On return of application blank, properly filled out and signed with required certificates as to habits of industry and sobriety, the Commission number the applicant in the order of its receipt and notify him of time and place for examination for entry on eligible list. At such examination the examiners shall inquire regarding the age, residence, citizenship, character, physical condition, family, previous occupation and experiences of the applicant, ascertain his qualifications for the employment sought, and endorse a statement of their determination thereon and the reason for it on his application, with a brief personal description of the applicant. Note will be made of superior physical qualifications.

Applicants shall be graded, first, on physical qualifications; second, upon their own account of themselves, occupation and

experience; third, upon their knowledge of the requirements of the work, necessary tools, manner of doing work, etc.

Foremen shall also be examined upon the number of men who can be worked together, upon simple arithmetic and writing, to show general intelligence sufficient to make written reports.

No additional test shall be required for common laborers.

False statements by applicant to disqualify.

2. For service other than common labor applicant will be required to produce a certificate from a competent person in the same trade or occupation of his ability to do the special work he seeks.

*Rule XVII.—Registration of Laborers.*

1. Registers shall be kept in the office of the Commission for each trade and the different branches of labor in the city service.

2. Order of registration shall be in the order of rating, but fixed by the examiners. No person shall be enrolled upon more than two registers without consent of commissioners.

3. Commission may district the city and make separate registers of laborers residing in each district, and change the same, from time to time, and consolidate two or more registers into one.

4. No re-employment after removal for disqualifying cause until after six months, and the furnishing of satisfactory evidence that the disqualification does not exist.

5. Proper regulations to identify registered applicants, and preserve record of their conduct provided for.

*Rule XVIII.—Requisition and Certification.*

1. Similar to Rule VI, but the appointing officer is required to notify the Commission, stating the number of men needed, the particular kind of labor required and the time and place where needed. The Commission thereupon certify the appointing officers the names and residences of the number of

men called for. Those on the register of the division covering the particular kind of labor called for given the preference in the order of their rating, who, within one year next preceding, have satisfactorily served the department from which the requisition is made. If there are no such persons, then the certification shall be in the order of general average, but regard may be had to a request by an appointing officer for preference to be given on account of age, physical qualification or residence in the district where the work is to be done.

2. Waiver of employment as in Rule VI.

3. Employment of laborers. On being laid off from service in any department, an eligible desiring further employment will return to the office of the Commission with a card from the employing officer stating the date and reason for being laid off and whether service has been satisfactory. Names of those who are so returned as satisfactory are to be retained on register of eligibles.

4. Emergency employment authorized without requisition for not exceeding sixty days, and only until regular employment can be made under the rule. No employment of the same person, or of another, to the same position at the end of such period shall be allowed under this rule. (This prevents anything like the systematic retention of a man in the employment in violation of the rules. He cannot be put on as an emergency man and then kept in the same place, and neither can a place be kept open and first one man and then another man be put in consecutively to the same place as an emergency employee. If the emergency lasts long enough for that it lasts long enough to admit of being filled by regular examination).

*Rule XIX.—Promotion of Laborers.*

1. Promotion from one grade to another in the same kind of employment authorized. Preference in same shall be given to those longest in service who have been faithful, efficient and qualified for promotion. Helpers may be promoted to journeymen in the trade in which they are registered after four years'

service in the trade. Promotions shall depend only on proficiency, industry, regularity of attendance, interest shown in the work, quality of work and good conduct.

2. Promotion from labor service to official service may be made upon application and examination in the manner required for original entrance. Credit will be given to such applicant for efficiency and seniority while serving in the temporary or labor service, as provided in Rule VIII.

*Rule XX.—Reports to be Made.*

Appointing officers will immediately report to the Commission the names and the register numbers of the persons employed upon certification with date of employment, compensation and upon termination thereof the date thereof and reason therefor, and statement whether the service is satisfactory. All to be in forms prescribed by the Commission.

*Rule XXI.—Reduction of Force.*

When made by reason of want of work, to be made, first, by dropping those least efficient. Foreman shall be given priority for retention in some capacity, and shall be among the last to be laid off as incentive to proper and fearless performance of duty.

*Rule XXII.—Transfers in the Classified Service.*

1. Within the same department in the same division temporary transfers for not exceeding thirty days may be made by head of department without notice to the Commission where intended to be permanent so that the name will thereafter appear on a different pay roll. Notice must be immediately sent to the Commission and its consent in writing obtained therefor and so that entry of same may be made upon its records.

2. Temporary transfers from one division to another and in the same grade and department may be made on notice to the Commission and with its written consent, but for periods not exceeding thirty days.

3. Transfers without examination to a similar position in another department may be made on the consent in writing of

the head of the department and the request in writing of the head of the department to which the removal is made, on the approval of the Commission in writing, provided same is limited to the same grade and division of service.

*Rule XXIII.—Reinstatement.*

On requisition of the head of a department the Commission may certify for reinstatement therein in the same division and grade in which he was formerly employed any person who formerly was appointed under its rules, and who within one year next preceding the date of requisition has, through no delinquency or misconduct, been separated from the classified names of that department.

EXAMINATION FOR MATERIAL INSPECTORS.

You will state the chief defects to be guarded against in selecting the following kinds of material for use in the public works of the city of Chicago :

1. Lumber and timber—
  - a. For paving.
  - b. For sidewalk.
  - c. For general construction.
2. Brick—
  - a. For paving.
  - b. For sewer construction.
  - c. For walls.
3. Stone—
  - a. For block paving.
  - b. For Macadam paving.
  - c. For rubble wall.
  - d. For curbstone.
4. Cement.
5. Lime.
6. Sewer pipe.
7. Sand.
8. Gravel.

CHICAGO CIVIL SERVICE COMMISSION, CLASS A, DIVISION I (INSPECTION SERVICE). MASON AND MATERIAL INSPECTORS. ORIGINAL ENTRANCE, APRIL 30, 1896. PART I.

*Penmanship and Copying.*

Copy the following exactly:

*Crosswalks.*

There shall be four (4) crosswalks at each street intersection, three (3) at each half intersection and one (1) at each and every alley, constructed of two (2) rows of limestone of the best quality, free from sand pockets, drill holes, seams or other defects and approved by the Commissioner of Public Works. Said sidewalks to be constructed as follows: Each stone to be fourteen inches (14'') in width, not less than six inches (6'') in thickness, not less than three feet (3') in length, with straight ends and edges, with top surface bush hammered, and laid in two parallel lines fifteen inches (15'') apart, the upper surface conforming to the surface of the street. The stone shall be laid in the best possible manner, full bedded in sand, and rammed to a firm and solid bearing with closely fitted end joints, and with a header fourteen inches (14'') wide, extending across the full width of the crosswalk.

*Arithmetic.*

Give all your work, except for Nos. 1 and 2.

1. Add:

$$\begin{array}{r} 5379 \\ 4116 \\ 4052 \\ \hline 91327 \end{array}$$

2. From 7534026  
take 6475317

3. Multiply 39048  
by 675



4. Divide 498664 by 684.
5. How many cubic ft. in 4 cubic yards?
6. A stone wall is  $\frac{1}{40}$  of a mile long, 2 ft. thick, and  $2\frac{1}{2}$  ft. high. How many cords of stone does it contain, a cord being 100 cubic feet?
7. How many square yards in a walk 46 ft. long and  $7\frac{1}{2}$  ft. wide?

## THE WORK OF THE OHIO STATE BOARD OF COMMERCE.

THOS. L. JOHNSON, ESQ., CLEVELAND.

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The Constitution of Ohio, adopted in 1851, provides that "all laws of a general nature shall have a uniform operation throughout the State." This clause was inserted for the purpose of remedying evils which had grown up under the Constitution of 1802, in that laws of a general nature were oftentimes limited to a single county or city in the State. The reason for placing this clause in the present Constitution is unmistakable, and how well it has served its purpose in having uniform municipal laws throughout the State we shall presently ascertain. I shall make no attempt to go into the details and mysteries of how cities have been divided into classes and grades, and regraded and reclassified, and again sub-regraded with provisions for passing from one grade into another, and rising or falling from one classification into another until the ordinary mind is perfectly bewildered as to the purpose and meaning of such divisions, and the courts, called upon to legally determine the meaning and scope thereof, "sit in darkness." I will give one or two illustrations of how this supposed safeguard can be avoided, and such instances can be multiplied into thousands. Part of the time it has been done in the interests of good government, but very often in the interests of schemers and that brood of political harpies known as "professional politician."

The city of Youngstown, for example, desired to change its form of municipal government in some particular; to issue bonds for sewers or paving, or perhaps it was deemed desirable by some to create an office or two to oblige a friend; forthwith, those interested descend upon the legislature and a law of general nature is passed embodying the required changes or ad-

ditions. With this provision of the Constitution in mind one would suppose that such a law would operate uniformly throughout the State. By no means is such the case. Some one of keen intellect has discovered that the city of Youngstown had, at the last federal census, a population of seventeen thousand eight hundred and twenty-six, and so he devises a way to have the law, embodying the changes, apply to Youngstown alone, and to practically no other city at any other time by enacting that all cities of a certain grade, class and sub-grade, having a population at the last federal census of seventeen thousand eight hundred and twenty-six, shall be governed in the manner specified by this act of the legislature.

The Ohio Legislature has authorized cities having a population of eleven thousand and four to have their police appointed and controlled in one way, while other cities having a population in excess of that number by eighteen persons, are wholly dissimilar in government in those particulars. This, as I have already said, has been done by the legislature not a few hundred, but thousands of times, until our legislature is occupied a large part of its time in passing laws which are nothing more than special legislation for every city in the State, and this juggling has been held constitutional by the Supreme Court of the State in so many instances that the judges thereof are now hardly able to take any observations and calculate what course they should sail when this constitutional question is submitted to them.

It might be proper to say that the court is drifting with a tendency toward a different course. It feels that it can scarcely squarely overrule itself, for then practically every municipal government would totter to its fall, offices by the hundred would be vacant, and the value of millions of bonds would be problematical, and throughout the whole State, in matters municipal, chaos would come again.

During the last few years the tendency of the court has been to enforce, as far as possible, the evident intent of the Constitution. It was an evil day when the Supreme Court of Ohio

did not heed the words of warning of one of our greatest judges, when he said: "Believing, as I do, that the success of free institutions depends on a rigid adherence to the fundamental law, I have never yielded to considerations of expediency in expounding it. There is always some plausible reason for the latitudinarian constructions which are resorted to for the purpose of acquiring power—some evil to be avoided or some good to be attained by pushing the powers of government beyond their legitimate boundary. It is by yielding to such influences that Constitutions are gradually undermined and finally overthrown." This enormous amount of special legislation has long been deemed a menace by a great body of citizens, and about a year ago the Municipal Committee of the Ohio State Board of Commerce suggested that a conference be called at Cleveland for the purpose of considering a reform in this particular. A call was issued to the thirty-six affiliated bodies of the State Board by this Municipal Committee asking each to send delegates to this conference, and from all parts of the State representatives came, all the bodies asked sending delegates except three. The conference lasted through a part of two days, and resulted in a set of resolutions embodying the judgment of the convention. These resolutions were sent to each of the affiliated bodies, and action upon said resolutions was requested. Such action was had by the affiliated bodies, and the resolutions were generally adopted. This action was taken throughout the State prior to the annual meeting of the State Board in November, 1895, where the resolutions were presented, and at this meeting they were adopted without controversy and placed in the hands of the Law Committee, which was instructed to take such action as was necessary to bring the matter before the session of the legislature opening early in January, 1896. The resolutions are as follows:

WHEREAS, It is apparent that real and substantial reform in municipal government cannot be attained by special legislative enactments for the treatment of separate municipal evils, but must be reached by general laws establishing conditions which

will enable the people themselves to adopt and enforce reform politics ; and

WHEREAS, The classification of cities, contrary to the terms and intent of the Constitution, has resulted in an enormous mass of special legislation, destroyed the safeguards against extravagance, prompted enactments against the interests and desires of the people of the municipalities, deprived them of the opportunity to adopt reforms and provide for their normal developments, and tends to minimize their individual responsibility for safe and effective government ; and

WHEREAS, The spoils system of dispensing official patronage is destructive to competent and honest official service, and is condemned by the best thought of the age in all advanced communities ; and

WHEREAS, The confusion of legislative and executive functions in the departments of city government is contrary to the spirit of our institutions, and impairs or destroys the checks and balances without which good government is impossible ; and

WHEREAS, The responsibility of municipal officers to their constituents for good government must be largely inoperative without authority on the part of the electors to determine the local policies that shall be enacted and enforced ; therefore, it is

*Resolved*, By the Ohio State Board of Commerce that the General Assembly be respectfully and earnestly petitioned to repeal the classification of cities and to provide for the government of all cities by laws uniform in their operation throughout the State ; and

*Resolved*, That such general laws should provide for the complete separation of legislative, executive and judicial functions in city government, and ensure direct responsibility to the electors for faithful and efficient official service ; and

*Resolved*, That, so far as practicable, all the subordinate officials below the rank of heads of departments should be placed under civil service rules as to their appointment and discharge ; and

*Resolved*, That it is essential and necessary to the inception, development and adoption of reform measures adapted to the needs of the several cities of the State, that the people of these cities shall be accorded the fullest degree of home rule consistent with the principles of the Constitution; and

*Resolved*, That the General Assembly be also petitioned to establish a bureau for the collection and tabulation of municipal reports, which should be prepared by municipal officers in a uniform manner to be prescribed by the head of such bureau in order that correct comparison of municipal expenses may be made.

Pursuant to instructions, the Law Committee prepared a bill providing for an appropriation of \$30,000 and the appointment by the governor of a commission, consisting of two members, to make an investigation and ascertain how many of these multitudinous laws were now applicable to the cities in the State, to determine the legal status of each municipality and report the result of their labor, together with a form of law that should govern all the municipalities in the State and be uniform in its operation. A joint meeting of the Judiciary and Municipal Committees of both Senate and House was held the first week in February last, and representatives of the Municipal and Law Committees of the State Board were present and explained the nature and purpose of the bill. Several objections were raised. Among others, as to the amount of appropriation; that there should be three members of the commission, one of them not a lawyer; and some opposition was manifested by the more partisan newspapers in the State. It was thought, however, that the bill would pass, and that is a great step to be gained in the direction of this important reform measure so well championed by the State Board of Commerce.

Within the past three days our legislature has adjourned, and, I am sorry to say, that amid the multitude of special bills clamored for by a powerful lobby this important measure was forgotten. The legislature could pass a bill extending municipal

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franchises for fifty years in the interests of certain corporations against the nearly unanimous protest of our people, but the bill looking to the emancipation of our cities from political control, or to extend the principle of local self-government, the Ohio Legislature did not even have time to consider.

## MUNICIPAL OWNERSHIP OF STREET RAILWAYS.

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CHARLES RICHARDSON, ESQ., PHILADELPHIA,  
FIRST VICE-PRESIDENT, NATIONAL MUNICIPAL LEAGUE.

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No intelligent and fair-minded person can make a careful investigation of the cost and earnings of street railways in the larger cities of the United States without perceiving that better service could be given to the people at much lower rates than those that are now customary.

It is true that in many cases the facts have been so disguised or obscured by leases, consolidation, stock watering or deceptive systems of accounting, that exact figures are difficult to procure. There is, however, ample data for ascertaining the general results, and it does not require much research to discover that in some instances, in addition to all the operating expenses, repairs, renewals, taxes and public obligations for paving, &c., the regular guaranteed *net* rentals or dividends of the leased lines exceed sixty per cent. per annum on the amounts paid in, and that the stocks are selling at premiums equivalent to more than twelve hundred per cent. profit on the same basis of calculation.

It is also easy to show, by an analysis of construction and operating expenses, or by the experience of such cities as Detroit, Toronto, Glasgow and Berlin, that a reduction of thirty or forty per cent. in the usual fares or the payment of a corresponding amount into the public treasuries would still leave a liberal margin of profits on the original investments of the companies.

For the purpose of this paper it seems unnecessary to present the elaborate details which can be readily obtained by those who desire them, and it can be safely assumed that most of the



street railway companies in our large cities are making enormous and entirely unreasonable profits at the public expense.

But the intolerable abuse of compelling the people to pay exorbitant prices for being carried over their own streets, is only one of many counts in the indictment which can be brought against the present system.

It has failed to give the public adequate and proper service, it has subjected employees to cruel and unreasonable treatment; it has led to disastrous strikes and riots, it has been a prominent factor in accustoming the people to regard the wholesale corruption of State and city governments as a matter of course, and it has been a prolific source of stock watering and stock gambling. It is further responsible for the existence of large bodies of stockholders and investors whose pecuniary interests are so directly adverse to those of their fellow-citizens, and so dependent upon the continuance of a government which can be easily outwitted or corrupted, that they are much more apt to oppose than they are to support the advocates of municipal reform. It has been estimated that in Philadelphia alone at least seventy thousand persons are pecuniarily interested in protecting the street railway companies against any municipal action which might subject them to reasonable restraints or diminish their profits. The growth of this malign influence was forcibly illustrated by the personal bitterness, the baseless charges, and the business antagonism encountered by those who took the side of the people in their preliminary skirmish with the consolidated traction companies of Philadelphia during the past winter. In dealing with a system which leads to such results the thought naturally occurs to us, that if protests and restrictions should fail, if methods which may be compared to strait-jackets and handcuffs should prove ineffectual, a resort to some legal and equitable process of total extinction may finally become an unavoidable necessity.

In discussing the various methods which have been proposed for the correction of these evils and for obtaining better

terms from the companies, the consideration of those which depend entirely upon persuasion or appeal without any form of coercion, may be safely postponed until the time when lambs can persuade wolves to become vegetarians.

Between such methods and those which involve municipal ownership with a system of leases from the cities to operating companies, there is a very wide range, and it may be said that their effectiveness will generally be in proportion to the amount of coercion employed. They are all, however, more or less open to the objection that they tend to multiply and perpetuate the existence of organizations which are among the most powerful and dangerous of all the enemies of good government. The dominant purpose of street railway companies is, to extort from the necessities of the people the largest revenues which the latter can be forced to pay. It is as natural and inevitable for such corporations to debauch and plunder a modern municipality, as it was for the robber barons to pillage and levy tribute upon the rich cities of mediæval Europe. Although swords and spears are no longer resorted to in this kind of warfare, the weapons now employed for wholesale robbery are much more effective.

Well-paid positions, free passes, valuable contracts and a skilful distribution of stocks, bonds or cash payments, are some of the means whereby ward workers, nominating conventions, political leaders, lobbyists and legislative bodies, are converted into the servile-tools and feeders of these industrial parasites. Men of means and influence, who might otherwise be good citizens, are hypnotized by the opportunities for profitable loans and investments, while the general public is beguiled and placated by plausible misrepresentations, and by the introduction of mechanical improvements which recent inventions have rendered inexpensive and remunerative for the companies.

Under these adverse conditions it is hard to see how anything short of the most radical measures can rescue our cities from the slimy, paralyzing folds of these corporate anacondas.

To control the latter without destroying them would require far-seeing business sagacity, expert knowledge, public spirit and incorruptible integrity, and these qualities are much more conspicuous by their absence than they are by their presence in our local authorities.

Experience has shown that in this connection, as in so many others, the old panacea of competition is only a stepping stone to combination, consolidation and increased extortion.

The success of some of the cities of Great Britain and Europe in controlling and dealing with their transportation companies, is sometimes urged as a reason for adopting similar methods here. But this argument ignores the immense difference in some of the most essential local conditions. The development of an active intelligent civic spirit, the practical exclusion of the most ignorant and purchasable classes from the lists of voters, and the absence of political influences in the matter of appointments, in foreign cities, are in brilliant contrast with our own deficiencies in these respects.

Moreover there is at the present time in the places where municipal control has been most successful, a strong and growing tendency to resort to municipal operation as being a still better solution of this difficult problem. This method is now being urged for American cities also, and it is the special object of this paper to advocate a more general discussion and consideration of it. Of course it should be understood, that so far as existing companies are concerned, while it might be necessary for the people to resort to their fundamental and inalienable right of eminent domain, there should never be anything like a violation of the principles of law or equity, and that in no case should private or corporate property be taken for public use without an allowance of fair and reasonable compensation.

Some of the most obvious arguments for municipal ownership and operation of street railways are (1) that as public streets are public property the public is entitled to all revenues and all benefits which can be obtained therefrom ; (2) that with

anything like honest management the business would permit of better service and much lower fares for the people, as well as better treatment, shorter hours and higher wages for the employees; (3) that the construction of lines for merely speculative purposes and the unnecessary opening of streets would be avoided; (4) that opportunities for the rapid accumulation of large fortunes by stock watering and stock gambling would be materially diminished; (5) that better and cheaper service would greatly promote the growth and prosperity of our cities; and (6) that the final abolition of such wholesale dealers in bribery and corruption as many of the present companies, would terminate the antagonisms which now exist between the interests of large sections of the people, and would open the way for a gradual elevation of our standards of public and private morality and business methods.

The principal if not the only serious objections seem to be that the adoption of municipal operation would be a new and untried experiment, and that it would necessarily strengthen and be controlled by the spoils system.

So far as the charge of being a new experiment is concerned it may be pointed out that the principle is precisely the same as that of the operation of schools, gas works, water works, &c., by cities, and of the post office and other departments by the general government. Instead of being a new thing it is only an extension of the old and familiar principle that there are some kinds of business which it is advantageous or necessary to have done by the community as a whole, and not by a few at the expense of the many. The gradual increase in the applications of this principle has been and must continue to be an inevitable accompaniment of industrial development on both sides of the Atlantic.

In reply to the assumption that if street railways should be operated by an American city they would only strengthen and become subject to the spoils system, it may be questioned whether it is possible for these results to be more completely at-

tained in any case than they have already been in some instances. Many of the existing companies have been converted into political machines of the most effective and dangerous character, and while their wealth and unscrupulousness and the support of stockholders and investors may make their power for evil greater than that of a partisan machine or a business department of a city government, they differ from the latter in being beyond the reach of a popular vote and but slightly amenable to public opinion.

There is another argument which can be urged in favor of the municipal operation of street railways and it is one that goes deeper than any mere question of public convenience or pecuniary benefit, deeper even than the deplorable evils of bribery and corruption and spoils politics, for it reaches down to the very basis of popular government and deals with the fundamental problem of how to induce the masses to exert that active intelligent interest and that eternal vigilance without which no form of government by the people can ever be a permanent success.

If there is any one thing which all reformers can agree upon it is that the greatest difficulty in the way of improving our municipal conditions is the indifference of the voters. The advocates of civil service reform, of home rule, of proportional representation, of the exclusion of national issues and party politics from municipal affairs, and of other reform movements, are united in ascribing the presence of what is evil and the absence of what is good to the insuperable apathy of the people and the lack of local issues which can compete with national questions in exciting the interest and influencing the action of the average voter.

The lack of interest in local contests is especially characteristic of that very large proportion of voters who are wage-earners living in cities and paying no direct taxes. In national elections they can be interested in tariffs and monetary problems as affecting their wages, their chances of employment, or the

prices of their food and clothing. But in local contests they fail to see that the results can be of importance to themselves, and they either avoid the polls or allow their votes to be determined by a trifling gift, a promise of work, or a mere request from professional politicians or their ward workers.

The problem of good municipal government depends to a very large extent upon the possibility of convincing such voters as these, that they have a strong personal interest in placing their public business in the hands of honest and capable men. Is there any better or more effective way of doing this than to make each individual feel that his vote at a local election may have a direct effect in raising or lowering all the car fares which he has to pay for himself and his family? Is there anything which will do more to make the average citizen or wage-earner appreciate the importance of judicious voting than a knowledge that every conductor who collects a fare, instead of being the servant of an irresponsible corporation, is only the agent and employee of officials chosen by the people who use the cars?

It seems as though it is only the most obvious common sense to argue that the way to make the people take an interest in their government is to make it touch them as directly and as often and at as many points as possible. It is only in proportion to our success in doing this that we can reasonably expect them to give an active, intelligent, non-partisan support to good government, or to join in overthrowing and exterminating the mismanagement and corruption of the spoils system.

Is it not true that the rapid progress of civil service reform and good business management in our national government has been rendered possible by a degree of popular support which could not have been obtained if the government had been less interesting to the people, or had only affected them in fewer and less obvious ways?

Will not the voters be more careful in the selection of their agents when they can feel that it is their ox and not that of the capitalist's which is being gored?

There is an old story of a party of American sailors on shore-leave in one of the islands of the West Indies. Becoming interested in a very exciting and popular cock-fight, they finally offered to bet that they could produce "a bird" which could whip anything on the island. Their wager was eagerly accepted and a day was fixed for the contest.

At the appointed time the sailors produced the strangest-looking fowl that had ever been seen in that vicinity.

Crouching low upon the ground, with its head under its wing and its body covered with nondescript feathers sticky with tar, the creature seemed so destitute of life and spirit as to awaken nothing but derision. Even the Spanish game cock appeared to be puzzled at first, and crowed and strutted contemptuously about for some time, but finally he made a sudden leap and dashed his sharp spurs into the forlorn-looking object.

The latter only gave a little shake of annoyance and then relapsed into its former sullen, motionless indifference. Again and again the triumphant game cock repeated his assault without arousing the least symptom of resistance. But, at last, an unusually vigorous thrust was followed by a sudden transformation of the subdued and well-disguised bird. There was a wild scream of rage, a broad spreading of mighty wings, and in another instant the audacious game cock was pinned to the ground, and his head, torn from his body, was quivering in the powerful talons of an American eagle.

Is there not something in this story which suggests that even if the proposition which we have been discussing should result in adding some extra spurs and some livelier kicking to the heels of professional politicians, the final outcome would be eminently satisfactory and conclusive?

Is there not reason to believe that in our dread of political corruption and our profound appreciation of the inherent depravity of municipal governments, we have been too timid about measures which would tend to bring the people face to face and into direct contact with the wasteful inefficiency, vicious methods and inevitable mismanagement of the spoils system?

Under our form of government the surest way to remedy an evil is to make everybody feel it, and then put those who are guilty within the reach of their victims.

When the municipal ownership and operation of street railways is considered from this point of view, its advocates may claim that in addition to all its other advantages it must be recognized as a powerful agency for the development of civic spirit, the elevation of popular standards, the adoption of business methods, the political education of the masses, and the final overthrow of the spoils system.



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MUNICIPAL OWNERSHIP.

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FRANK M. LOOMIS, ESQ., BUFFALO, N. Y.

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In response to a suggestion that the negative, as well as the affirmative, of the "Municipal Ownership" question ought to be presented on this occasion, I have been asked to open the discussion upon the understanding and in the expectation that I should espouse the negative of the question.

I recognize and deprecate, I think as much as any one present, the oppression of corporate greed consequent upon the unrestricted management and control of franchises by private capital. I recognize and would give due weight to the fact that the municipal ownership and operation of these franchises is advocated as a remedy for present ills by men whose motives are above suspicion, and to whose judgment we have all been accustomed to defer in the reform movements in which we have been associated.

And yet I appear here, I trust not presumptuously, to oppose, to denounce, even, any scheme for the municipalization of franchises as radically wrong, as inherently vicious; and to urge as the true remedy for acknowledged ills, democratic home rule; a rigid municipal control, as distinguished from legislative control; municipal control, as distinguished from municipal operation of franchises; in short, the democratic rather than the socialistic plan. Let me be understood. I recognize the bravery, I will not say bravado, of the modern reformer who boasts that he is not to be deterred from advocating any pet scheme by the spectre of socialism. I honor and appreciate his sincerity, also, and therefore would have it understood at the outstart that I use the word socialism as a descriptive rather than as a stigmatic term. It should be noted, moreover, that it is the municipal ownership and operation of franchises, not municipal con-

trol, which is here deprecated as socialistic. The words "municipal control" are very loosely, and, I insist, very improperly, used to describe only that control which is incidental to ownership and operation of the franchise.

Any statement of reasons for opposing the municipalization of franchises must needs be trite, being, in the main, but a re-statement of the time-worn, but time-honored, argument against all socialistic schemes. It is, of course, in brief, that the egoistic incentive to individual enterprise is removed, or, at least, greatly lessened; that personal liberty is unnecessarily, even dangerously, restricted; and that a resulting deterioration of the race is all but certain to follow. It is the time-worn, time-honored protest against all forms of paternalistic legislation, supplemented and re-enforced by the vision of a prospective horde of officeholders, against whom civil service reformers will contend in vain. It is a reassertion of the scriptural truth that every man must work out his own salvation, of the allied scientific truth that the fittest must and ought to survive, and that only as man is allowed to reap, whether for good or evil, that which he has sown in the exercise of a freedom of choice, limited only by the like liberty of his fellow, can any real substantial progress be made toward that happy goal whence evolution tends.

The contention of the Bellamyist that the egoistic incentive, which would be lacking under a socialistic régime, is not an essential factor in the evolution of man, can be met here only by a direct assertion that his theory contravenes all experience. Time and space at my command do not permit any marshaling of the facts or a review of the evidence. So, too, with the paternalist. Lack of time prevents a review of the facts showing the fatuity of paternalistic legislation. And I am all but content that this is so, because of the utter hopelessness of convincing by argument alone any one wedded to paternalistic theories; to theories like, for instance, the more or less popular idea that a people can be made rich by taxation of imports. Still less profitable would it be to argue with those who, by their advocacy of

legislation inhibiting the use of things not wrong except in their abuse, tacitly assert that the divine economy of nature can be improved upon by making innocence, rather than resistance of temptation, the test of virtue.

For the sake principally of logical sequence, and to the end, in part, that no socialist or paternalist may feel that his claims to consideration have been altogether slighted, I have elaborated more than I deem necessary the oft-repeated objections to their theories. My principal contention to-day, however, is with the modern reformer, the anti-natural monopolist, who either scorns the appellation of socialist, or, if very brave, says that he isn't to be scared by an intimation that he holds socialistic views. Now, I am no more concerned about terminology than are my brave opponents. Yet at the very beginning of my argument with them I must take exception to their use of the term "natural monopoly," as not being properly descriptive of the industries from which it is proposed to exclude private enterprise. Railroad companies, gas and electric lighting companies, all corporations, in fact, are the creatures of law, and, therefore, are artificial, or, if you please, unnatural rather than natural monopolies. The fact that public interest and convenience do not admit of competition between rival companies in public highways, does not make the corporation, the creature of law, any the less an artificial creation. I mention this only in passing. While the terminology used may not be a matter of very great importance, yet, like the Rooseveltian assumption that good things are American and other things un-American, it cannot pass unchallenged.

But to the argument. Is the municipalization or nationalization of the so-called natural monopolies open to the objections urged to the socialistic scheme in general? My answer is, yes. Not simply in the abstract, not technically, but in a very substantial sense; and for the reason that these monopolies from which it is now proposed to exclude private capital, and, therefore, individual enterprise, comprise a very large and constantly-increasing proportionate part of human industry.

Taking it now for granted, without further argument, that it is unwise, generally speaking, at least, to minimize the incentive to individual enterprise, there is now to be considered the reason or reasons alleged to be sufficient for exempting monopolies (called natural) from the application of the general principle. Speaking broadly I may say that I understand my opponents' contention to be that when the city owns and operates the franchise there will result :

1. A cheapening of the product of monopoly manufacture, and a reduction of the cost and charge for the semi-public service rendered.
2. An improvement in the quality of the product and better public service. •

It is argued that competition being impracticable in the monopolized industry, the community ought to monopolize it rather than leave it in the hands of a favored few. This, as I understand it, is urged as the only effective method by which equality of right can be secured in the absence of competition.

In answer to this argument, which I have endeavored to present fairly, I have to say, that it has never been shown, and in the very nature of things never can be shown, that the public can manufacture a better article or render better service at a less cost than a private corporation or an individual capitalist. The latter are impelled by the strongest motive known to human nature—self-interest—to manufacture as cheaply as possible. On the other hand the indifference of the average officeholder to the cost or price of anything, which is to be paid for by a draft on the public treasury, is too well known to need comment. Statistics, all but innumerable, show that gas, electricity, water, street railway service are oftentimes furnished to the people at a less price, and sometimes of a better quality, by the municipality than by the private corporation. But these statistics prove little or nothing as to the relative cost of production, and in many cities, like Philadelphia, for instance, the product of municipal manufacture is said not to be very satisfactory. A favorite method of compilation is to estimate the cost of the

original investment for the municipal plant as nothing, on the theory that when the money needed therefor is derived or refunded from the sale of the municipal product the charge to the people for such product, like the protective tariff, is not a tax. It is doubtful, also, whether the municipal bookkeeping, on which these statistics are based, takes any account of interest on investment, of repairs and renewals, of damages paid on account of accidents, or of the taxes which would have been paid to the municipality by a private corporation doing the business. It is not altogether certain either that the figures furnished by the employees of a city are always reliable.

But granting, for argument's sake, the correctness of the statistics, they prove at most what any one in his senses would have conceded at the outstart, viz., that with the element of profit eliminated, the product can and will be sold at a less price to the consumer than if the monopolist is left free to charge his own price.

But this is elementary, and might well have been taken for granted without resort to statistics. It may as freely be granted and might as well be argued that if the socialistic programme was carried out in its entirety the first cost of everything to the consumer would be less than under the present industrial system. If the element of profit be eliminated, of course the charge to the consumer is less; but if, as usually happens, the consumer is also a producer and is barred from any profit, it is difficult to see how he is to gain by the change of system.

So of the community which hopes to gain an advantage from the consumption or use of cheap water, gas, fuel or other commodity manufactured or produced without profit. What is gained in one way is lost in another.

By this, of course, I do not mean to be understood as saying that the converse of the proposition is true in the sense that any individual member of the community has returned to him, directly or indirectly, the legitimate profits which he might make in any business which may be monopolized by a municipality. The vice of all communistic or semi-communistic schemes is

that the least worthy, the dependent class, is thereby enabled to live on the producer, something which I assume no one present would countenance. Be this as it may, I am concerned only to show that the community as a whole cannot be benefited by establishing a system under which any commodity is furnished or service rendered by the municipality at a price from which the element of profit is eliminated.

There is still left to be considered the proposition that under the present system those who control the monopolized industries are enabled to charge exorbitant unearned profits; but this, as before intimated, I am not disposed to dispute. Neither do I take issue with those who assert that the prices charged by the so-called natural monopolists cannot be regulated by competition. Public convenience clearly does not admit of competition in public highways, and it is equally certain that no law can be framed which will successfully bar a consolidation of competing interests.

Many people, perhaps most people, immediately conclude that with the possibility of competition excluded there is no remedy, except for the municipality to go into business on its own account. This is indeed a singular and a vital error, and it has resulted largely, I think, from a want of due consideration of the conditions which make monopolies a possibility.

Almost if not every monopoly, every one with which I am acquainted, is a corporation or a body having semi-corporate powers. It is, therefore, not only a misnomer to call a monopoly "natural," but it is literally true that deprived of the powers given to it by the people the monopoly would cease to exist. It is literally, absolutely true, that monopolies are the result, not of natural conditions, but of legislation favorable to their growth. The remedy, therefore, is to be found, not in the creation of a larger, a municipal or national corporation, which shall swallow up the smaller ones, but by restoring to the people of each community the power to regulate the operation of any franchise in their midst. The warrant for the exercise of this power, different from and in excess of what could rightfully be exercised over

the individual citizen, is to be found, not in any fanciful assumption that the franchise is a "natural" monopoly, but in the fact that the monopoly has been created and sustained by the special privileges granted to it by the people different from and in excess of those enjoyed by the individual citizen.

But, it will be said, this power already exists and is not exercised. Not so, my friends, or at least only in a very narrow, technical sense. The people, through their representatives in the legislature, have a certain limited control of the situation, but there is nothing even approximating that democratic home rule, which would solve the problem for us as it has in democratic France. The constitutions and laws of many of our States, as construed by the courts, inhibit needed municipal control of corporations—a condition which ought to be met by such an amendment to these constitutions and laws as shall reserve or restore to the people the right to regulate the operation of all monopolies.

We have not in any substantial sense municipal control as distinguished from legislative control. There is not, for instance, any power vested in the municipalities to fix by ordinance the rates which shall be charged by street railway companies. The municipal authorities have no power, as in France and some other European countries, to examine the books of gas companies and other monopolies, and fix the amount of their charges on the basis of the net earnings as shown by an examination of their business.

I can all but hear some opponent say that this course would not prove effective with corrupt city officials.

Make no such mistake. It is easy, comparatively easy, to pass an unjust bill, affecting only a particular locality, through the legislature by the corrupt use of money, because the bulk of the legislators cannot be made directly amenable to the injured voters. It is too easy also, I grant you, to control the actions of local officials with money. But this again is due largely to the fact that the limitation on their powers gives them the very excuse wanted for making what is always said to be

the best bargain obtainable. But suppose, for example, that absolute power be vested in the local authorities to fix the rate of fare, the number of cars and the character of street car accommodation; and suppose that the question of high or low fares be made a direct issue in the election of candidates for city offices. Here would be an issue not political, not primarily or necessarily involving a question of principle, but one which would appeal directly to the pocketbooks of every man, woman and child in the city. Can any one doubt the result of such an election, or the effectiveness of such a remedy to cure the natural monopoly evil so-called? I think not; I know not, and so know you all. It would be necessary rather to put a curb on the power of the populace, which might easily be done by giving to the aggrieved monopolist the right to apply to the courts for redress, placing the burden upon him, however, of showing affirmatively by his books, open to the inspection of all, that real injustice had been done. It would be virtually or nearly the same procedure as now obtains when the assessors assume to put an undue burden of taxation upon a corporation doing business within the city limits.

This then is the remedy; a remedy based not on theory alone, but which has been found wonderfully effective in Europe in solving the very questions which now confront us, and nowhere more effective than in democratic France under universal manhood suffrage. It is distinctively democratic, especially as compared with the municipal socialism which is making such rapid strides in Germany to-day. It offers the only escape from that condition which Herbert Spencer so aptly terms "The Coming Slavery." Socialism, the tyranny of the masses, is no less to be dreaded than monopoly, the tyranny of the classes.

Gentlemen, at the meeting of the League last year I took occasion to direct attention to the manifold advantages of the democratic system of municipal government in European cities, as compared with our autocratic system, and was met with the rejoinder that the people of free America could not be trusted to rule wisely through the agency of an unsalaried Council;



elected by popular suffrage. To-day those who distrust the ability of the people to protect their rights under a democratic system come to the front with a proposition to turn over to the people, not only the control of that which is their own, but a moneyed interest in that which is not and ought not to be theirs. Passing strange it is that in free America the democratic features of European municipal government are deprecated as unsafe, while an open welcome is given to the insidious advances of the socialist.

For one, I am proud to declare myself a democrat still, in the widest, broadest signification of the term, and to proclaim my adherence to democratic home rule as the one effective remedy for municipal ills.

## PUBLIC CONTROL OF MUNICIPAL FRANCHISES.

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HON. HAZEN S. PINGREE,  
MAYOR OF DETROIT.

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The question of the control of corporations operating under municipal franchises is a purely political question. A question of practical politics.

A municipal franchise may be defined, for the purposes of this paper, to be the act of a public body corporate, giving the right to tax a private body corporate and fixing the limit of such tax. Regulatory power, of course, is understood. In theory the question is a very simple one. All that is to be done is to elect your public representatives and they will do the rest. In practice it is a very complex question.

At the outset, under our voting system, there are what are called the caucuses, then comes the convention, and, finally, the election of these representatives of the public interest. The trouble commences at the political party caucuses. To suggest that the power of the State be called upon, even to regulate party caucuses, is raising a very delicate question. It should not even be touched upon if it cannot be plainly shown that frauds are perpetrated there. And even then the State should not interfere unless it can be shown that such frauds directly interfere with subsequent legislation and that such legislation is, in part, a fraud upon the people.

So far as my testimony goes my experience in public life shows that such fraud clearly takes its rise at the political primaries. People who are interested in obtaining franchises, or in maintaining charges against a prospective change in a franchise, are keenly alive to the value of the primaries, and

many instances have come to my knowledge of the capture of those primaries by bribery. So far as the primaries are concerned there is some sort of safeguard in having them flooded by the people; but that involves the honest handling of the ballots cast.

In Michigan we have a modification of the Australian ballot system for the caucuses of cities with a certain population. This system was put into practice last year for the first time and has been found, in a measure, satisfactory. The people turned out in much larger numbers than before, satisfied that their ballots could not be changed before their faces, as had been done in many cases in former times, and that they would get a fair count, which could scarcely be had under the old way. Besides, with this system, under which the poll lists are used, no man can vote twice or in two party caucuses. Under the old system, with no State regulation, the primaries were entirely at the mercy of a few people, directly or indirectly interested in corporations controlling franchises, and the result was that, with party lines drawn, a majority of corrupt people found their way into the Common Council, who represented the franchise-holding corporations. The city paid fifty dollars per month to aldermen and the corporations purchased them in blocks when they were required.

Thus the city was practically governed by the corporations operating franchises, as the State was and still is dominated by the railroads in all that pertains to the control of those roads, the same as the Congress is radically influenced by the combined railroad and vessel interests.

I would say, therefore, that the control of the primaries by the people is the proper guard for the future; but it is quite another matter to face present conditions that have had their origin in the past. It is not impossible that by the enforcement of the police powers the street railways might be, in some measure, controlled; but, as the franchises are looked upon as contracts by the courts, little could be accomplished, as corporations are notorious litigants, being able to maintain themselves

against cities disposed to contest, and there is also the involvement growing out of the contract between the money of the corporations and the venality of aldermen, besides the entanglement of these special interests with the banks, and through the banks with the general business of cities.

A so-called franchise for a street railway, like a so-called charter for a steam railway, resembles a device by which a Common Council or a legislature takes the governing power, in part, out of the hands of the people and surrenders it to a class.

While I do not profess to see the material difference between a street car or a railroad car and a dray, a coupé or a hack, and fail to see why the proprietor of the car gets a franchise or a charter and the proprietor of a hack or other carriage gets a license, although both are doing the same business in the same street, it is evident the courts see the difference between the documents, as they declare the franchise to be a contract which cannot be disturbed, although such contract makes it possible for private combinations to practically control the government that enters into it. (There are many cities that have entered into these kind of contracts, giving rates of fare upon a silver basis, and these rates of fare have been enhanced by the action of the general government establishing a gold basis).

Thus the contract entered into by a subordinate government is radically changed in effect by the act of the general government, and yet the Supreme Courts sustain these changed contracts and hold up rates of fare.

I would therefore conclude that for all future prospects of control the primaries must be the resort. To that end there must be a revival of the primaries, in order that the people may control the actions of political parties now controlled by the few. There is safety in the mass.

For the control of franchise-holding people, whose so-called contracts were entered into by local governments in the past, the only recourse that I can see is the courts.

I only venture upon two suggestive points in the premises, although, did time permit, the question admits of greater elucidation.

## THE RELATION OF A MUNICIPALITY TO QUASI-PUBLIC CORPORATIONS ENJOYING MUNICIPAL FRANCHISES—PARTICULARLY AS REGARDS THE INTERESTS OF THEIR EMPLOYEES.

WILLIAM M. SALTER, ESQ., PHILADELPHIA.

In general, there would seem to be a line of distinction between industrial undertakings that start up on their own account and those that require the authorization of society. There are businesses for which society does little beyond giving them police protection; there are others that owe their origin to society and receive privileges from society. A corporation is an example of the latter class, and particularly, a corporation enjoying some public franchise; it is, in a sense, a social *creation*, and apart from the social sanction, has no independent existence.

Out of this difference in nature springs a difference in the way in which private employers on the one side and corporations on the other may be practically treated by society. A private business naturally regulates itself and only some extraordinary reason of the public good can justify society in interfering with it; but a business that would not exist but for social authorization and that has received favors from society stands in a different category. What society has created it has some claim upon; it may reasonably ask that its creature shall not proceed altogether according to its own will, but shall respect, in some measure, the will of the power that made it. It is true that in creating corporations, society may *contract* to leave them entirely free to act as they choose; and if it is foolish enough to do so, it is difficult to see what remedy it has if the corporations proceed in a manner displeasing to it, and no matter how displeasing it must either break its contract or allow the obnoxious

proceeding to continue—either alternative being, perhaps, worse than the other. But in the absence of any such express contract, society may naturally be held to have power over its creations, or, what is the same, corporations may be held to have only so much liberty as is expressly granted to them. As artificial rather than natural persons, they have (to use convenient phraseology) only acquired, no natural rights.\*

To guard against excessive assumption of private right on the part of corporations, most of the commonwealth constitutions adopted since the Dartmouth College case have expressly reserved to the legislature the right to alter or amend corporate charters (*i. e.*, those granted after the constitutional provisions should go into effect). And the legislatures of various commonwealths and of the United States have acted in the same spirit in refusing to allow certain corporations the liberty to fix their charges as they saw fit. Warehouse men and railroads have had their charges fixed for them, or rather a maximum charge. Even where a railroad charter has given a board of directors power to establish such rates of toll as they might from time to time determine, legislative action regulating such rates has been upheld, in case the constitution of the commonwealth contained a reservation of the right to alter or amend corporate charters of the kind just referred to. (Illinois Central R. R. Co. *vs.* Illinois, 95 Ill., 313, 1880). Recently an Illinois Appellate Court has claimed the same right for a city council in relation to a street railway company that is already conceded to commonwealth or national legislatures in relation to the transportation companies of the country at large. Such legislative action may always, on occasion, be reviewed and its reasonableness passed upon by the courts, but whatever the result, complete liberty for the corporation is in principle denied.

The motive of this abridgement of liberty is the public con-

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\* Chief Justice Marshall (in *Dartmouth College vs. Woodward*, 4 Wharton, 636) said: "Being the mere creation of law, it possesses only those properties which the charter of its creation confers upon it, either expressly or as incidental to its every existence."

venience or interest. (I am not able to make out whether it is done under what is called the "police power" or not. If the police power relates simply to the public health or the public morals, it is difficult to see how either of these are furthered by a fixing of warehouse or railroad charges. If, however, as Judge Shaw defined it, it covers whatever, "not repugnant to the Constitution," is "for the good and welfare of the commonwealth and of the subjects of the same,"\* then it would seem that the police power might give the warrant for such regulation). The question may be raised whether regulation of corporate action of any other kind may be defended on the ground of the public interest, or, what is the same, how widely the public interest may be conceived. Strictly speaking, the regulation of warehouse charges is for the benefit of those who store grain, the regulation of railway charges for the benefit of the traveling or shipping public, and the question is whether, as the interest of these classes is identified with that of the public, the interest of other classes may be so identified. A large class, perhaps the largest class in the community at the present time, is that of those who do manual or other labor for hire. They stand in a private contractual relation to their employers. In the case of those hired by private employers it is difficult to see how society can affect their status or conditions, for they are not hired by society or by those who have any special obligations to society. But the employees of corporations are in a different relation to society; they are hired by a body that could not exist but for society, and if society chooses to demand of its creatures that they treat their hired servants in a certain manner, it is at liberty to do so. It may, for example, fix the scale of remuneration below which they shall not be paid, or the number of hours beyond which they shall not be required to work, or enumerate the liberties which they shall not be denied; in short, protect them in whatever ways its own sense and conscience may determine.

Probably no one would deny that a commonwealth might

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\*Commonwealth *vs.* Alger, 7 Cushing, 53, at pp. 84, 85.

act in this way in chartering corporations in the first place, and that it would be simply a question of expediency whether such a course should be pursued. But the practical question now is whether, having chartered corporations without such stipulations, a commonwealth is at liberty afterwards to add them. This can only be answered by observing whether the commonwealth bargained not to add them, or whether, in its organic law, it left its hands free. We have seen already that most of the later commonwealth constitutions have left the law-making power free to amend corporate charters and to regulate in some measure corporate acts; and it is difficult to see why if the law-making power may regulate corporate action in the interest of one part of the public it may not do so in the interest of another part. The practical question here as elsewhere (supposing the commonwealth has not tied its hands in the constitution) would be simply one of expediency, for even with the right to more or less regulate corporate conduct in the interest of those employed, it might not be expedient to do so, supposing, for instance, that the effect of doing so would be to hinder corporations from realizing the profit, the expectation of which would be necessary to lead to their formation or continued operation.

It is in the light of these general principles that I view the question assigned to me this morning of the "Relation of a Municipality to a Quasi-Public Corporation Enjoying Municipal Franchises," particularly as regards the rights and interests of those employed by such a corporation. I am not competent to discuss the respective functions of the municipality and the commonwealth in the matter, or to say whether appeal should be made to City Councils or to the legislature in case improved treatment of their employees by corporations is desired. I am only concerned to state my belief that corporations, and particularly corporations having some special gift from the public, stand in a peculiar relation to the public (whether the public be taken in the form of the municipality or the commonwealth) and may be peculiarly treated by the public, save as the public may have limited its own power over them. The question, apart from this



restriction, is simply what the public wants to do and how much it wants to do it. Already it has limited the number of hours per day during which the employees of some corporations may be required to work, and it may limit them still further. It has recently signified its will in some commonwealths that employees should not be hindered from joining organizations for the promotion of their interests, though, as the prohibitions have included private employers as well as corporations, constitutional objections may be (as in Missouri they have been) raised, which may hold in the case of the individual employer, but might not in the case of the corporate employer. The public may also desire that, when the business of the corporation allows, better wages should be paid to its employees than the mere higgling of market would secure, and either by legislation, or, better, by commissions, or, better still, by providing for arbitration when differences between the employees and the corporation arise, carry this desire into effect.

Action of this sort would doubtless encounter obstacles from the courts on two grounds: (1) That it limited the right of free contract on the part of the corporations, and (2) that it was class legislation. But the question is whether corporations have an unlimited right of free contract, save as it has been expressly granted to them. If corporations have an unlimited right of free contract then the regulation of railroad and warehouse charges is of doubtful constitutionality, and some judges have so held; but the highest court of the land upholds the regulation. Undoubtedly the abridgement of liberty is an evil, but after all it may be the lesser of two evils, and it is not always remembered that abridging one person's liberty may be the only means of giving liberty to another. Limiting a corporation's liberty to contract with its employees to labor for any number of hours may be the only way of freeing the employees from the necessity of laboring any number of hours. Prohibiting a contract by which an employee binds himself not to join a labor organization may be the only way in which the employee can get real liberty to join such an organization. Our courts

sometimes fail to see that the liberty they so zealously defend may be all on one side—that on the other side liberty may be a purely nominal affair and practically indistinguishable from slavery. Not long ago it would have been a kind of irony to call the employees of one quasi-public corporation in Philadelphia free men; if they asserted their freedom it was at the risk of being obliged to quit the service of the corporation. It is not freedom with nothing to do, but freedom *in employment* that the workingmen of the country want, and that they will get when the public conscience is alive (at least in all businesses that get their authorization from the public).

As to the charge of class legislation, it may perhaps be asked that some reason be exercised in deciding what is class legislation. In England there are laboring classes', lodging-houses' and dwellings' acts, permitting municipalities to provide for the housing of the working classes. Is this class legislation? In all of our commonwealths debts for labor services are specially recognized and protected. Is this class legislation? Sometimes the charges of intelligence offices are limited by law for the benefit of those seeking employment. Is this class legislation? There are laws against usury for the benefit of the necessitous. Sailors have always had special protection on account of the peculiar circumstances of their employment. Are these class laws? The law has fixed charges for railroad companies when it has not fixed them for telephone companies, and it has fixed them for telephone companies when it has not for telegraph companies. Is this, too, class legislation? If classes of individuals or of business do exist in a community, and if their needs or their situation and relation to the community are peculiar, and if the laws apply uniformly throughout the class, such laws are hardly to be called class legislation in any objectionable sense of the term. Now in the industrial world corporations make a class by themselves, and corporations with special privileges make an altogether special class, and the public has a claim on them and a right to regulate their dealings with their employees such as it may not have in the case of employees in

general. A true municipality (or community of any sort) desires to have the labor employed in it fairly treated; it may not be able to affect the labor that is privately employed, but it can the labor which it employs itself, and also (unless my argument is mistaken) that which is employed by those who are directly beholden to it.

It may well be that it should not do this without some demand or effort on the part of labor itself, for benefits conferred in response to no exertion are not productive of the highest good. But when labor does become articulate in its demands and makes an appeal to the community the community should not shut its ears, but should, to the extent of its ability and using its own discretion as to ways and means and as to how far it shall go, heed the appeal, and make the interest of labor, as it does already the interest of trade and commerce, a part of its own interest.

## STATE BOARDS OF MUNICIPAL CONTROL.

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HON. FREDERICK W. HOLLS, NEW YORK.

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The proper relation between a city and the commonwealth of which it forms a part is a subject of perennial interest, and one of the most difficult problems of applied political science. Its solution will for many years to come make great demands upon the judgment and skill of jurists, constitutional lawyers and administrators, and no topic seems to be better adapted to, or more needful of, the suggestive and fructifying influences of a critical discussion in a national conference of municipal reformers.

A few years ago the best thought upon this subject seemed to be focused in a general demand for "Home Rule" for cities, with as little State supervision and interference as possible. Expecting little relief from legislatures reformers generally considered the adoption of the proper constitutional amendments as the end to which their efforts should be directed, and the Constitutional Convention of New York, in 1894, seemed to offer the opportunity of a lifetime. The Committee on Cities of that convention shared the general impression so fully that the amendments reported to the convention for the purpose of regulating the relation of the cities to the State bore the sub-title, "To provide Home Rule for Cities." This led to an investigation of the entire subject, more thoughtful and searching than it had yet received, though very imperfectly reflected in the printed debates. The result was that the proposed amendments of the committee were modified almost beyond recognition, and the cry for constitutional "Home Rule" on grounds of theory or anticipated benefit has almost entirely subsided.

The two-fold character of the American city can no longer be questioned. So far as its own citizens are concerned it is,

indeed, a business corporation, and it may reasonably ask for as much liberty as is necessary to permit the utmost possible healthy development of its resources and faculties. But it is also, in its corporate capacity, the agent of the sovereign commonwealth, collecting the revenues and enforcing the laws of the latter by its own local officers, and this feature of municipal activity, while it has generally, perhaps, been emphasized too much, cannot be ignored in scientific discussion, and makes a material relaxation of State control impossible. The congregating together of a large number of individuals on a small surface does not change their relation to the State, and it would be decentralization gone mad to permit the establishment of a number of small sovereignties, independent, under the constitution, of the central power, and yet all members of the same commonwealth. For this reason the New York Constitutional Convention wisely, as it seems to me, declined to limit the ultimate power of the legislature over the municipalities, and contented itself, so far as municipal reform is concerned, with general provisions designed to improve the system of government generally, and especially providing that the voice of a city's chosen officers must be heard before a special law could be enacted.

It is a fact, however, that, notwithstanding this constitutional check, special legislation for cities continues to be, in New York as elsewhere, one of the chief evils, if not the worst of all, from which our municipal governments are suffering. The disease is as virulent as ever, and the discovery that heroic treatment by constitutional prohibition would be too drastic can be called an advance only in so far as it clears the way for other milder remedies. How to combine the greatest freedom of local action with sufficient control on the part of the State, and how to limit the interference of the legislature without preventing that interference when required, is the problem which, now as ever, confronts municipal reformers in every State.

It is the purpose of this paper to treat, necessarily in a brief and inadequate manner, of what seems to be the most promising

solution of this problem which has yet been suggested, to wit, the establishment by law of State Boards of Municipal Control.

It will be most convenient to discuss the idea as it has been formulated in the only bill upon the subject which has yet been introduced, to my knowledge, in any American legislature, and which has whatever prestige may attach to the unanimous recommendation of two State commissions charged with the investigation of municipal governments.

In the State of New York the governor was authorized by law in 1895 to appoint two commissions, of five members each, to formulate a uniform charter for the cities of the second and third classes, respectively, and to report such other legislation as would, in their opinion, improve the government of these cities. These commissions submitted separate uniform charters for the cities of the respective classes, but both united in recommending the adoption of a law creating a State municipal government board, and defining its powers and duties. For the purposes of this discussion the fact is immaterial that the legislature which has just adjourned failed to even debate any of these bills. The experience of history shows that it is the usual fate, in New York, of the recommendations of commissions to fail for at least one session of the legislature, and that they are almost invariably adopted—generally piecemeal—in succeeding years. Accordingly, there is still good reason to hope, unless some other State should act very promptly, that New York will be the pioneer commonwealth to adopt the principle of a State Board of Municipal Control.

The idea is by no means original, and it is in a general way in full working order to-day in England, where the Local Government Board affords a most valuable example and practical illustration of what it is hoped to accomplish in this country. Moreover, a most interesting and valuable discussion of the subject will be found in the "Annals of the American Academy of Political and Social Science," from the pen of Prof. J. R. Commons, one of the ablest among the younger jurists in the country, to whom the most ample acknowledgment of his labors in this direction is due.

To describe with any fullness whatever the history and present operation of the English Local Government Board would require much more time and space than is at my disposal.\*

In a general way it is doubtless known that the English Local Government Board exercises supervisory control over all cities of Great Britain, with the single exception of London; that it has power to compel, and does compel, a uniform method of municipal bookkeeping and careful and accurate returns of the administration of the police and sanitary regulations and the poor laws, and the fullest publicity regarding all expenditure of public moneys. It is required to advise Parliament with reference to all special legislation, and all local bills are subject to its investigation and recommendation which is usually adopted by Parliament. It has control, by the power of disapproval, of the incurring of debt on the part of any municipality and also of the sale or leasing of municipal property longer than a period of a few years. It gives certificates of efficiency to the departments charged with the execution of police, sanitary or poor laws, which certificates are prerequisites to the obtaining of public money from the treasury of the United Kingdom. It has a well-organized staff of experts, and its presidency is deemed an office of such importance that its incumbent is a member of the Cabinet; and the Lord President of the Council, all the Secretaries of State, the Lord Privy Seal and the Chancellor of the Exchequer are *ex-officio* members. Altogether, it is one of the most important organs of government in Great Britain and one of the most instructive examples in practical politics for which we are indebted to the mother country.

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\* Municipal reformers in this country are to be congratulated upon the fact that this very fruitful field has been occupied by a young scholar of thoroughness and ability, Mr. Milo R. Maltbie, of the School of Political Science of the Columbia University in New York, who is now engaged upon a dissertation upon the history and practical workings of the English Local Government Board, and whose very valuable notes upon the subject the writer has been permitted to examine.

The bill which has been submitted by the New York commissions provides that there shall be a municipal government board in and for the State of New York, which board is to consist of the controller, the attorney-general and five members to be appointed by the governor, not more than three of whom shall be members of the same political party. They are all required to be residents of cities of the second or third class of the State, and their terms are made five years, with the provision that the first commissioners to be appointed shall be appointed for one, two, three, four and five years, so that hereafter the term of one commissioner will expire in each year, and each governor will be enabled to appoint at least two members. In this way it is hoped to secure a continuous body, and at the same time provision is made to change the political complexion of the board if the people of the State should so desire. Fixity of tenure is provided, by making the members removable only on charges and with the approval of the Senate. The question of salary has been left open for the decision of the legislature. The commissions recommended that the salary should either be high or nominal, in order to secure the best talent in the State. The board is authorized to appoint a secretary and the necessary clerical force, and is required to hold meetings at least once a month throughout the entire year, and as often as necessary during the session of the legislature, to perform their extremely important duty of reporting upon all city bills.

The powers and duties of this board are quite limited in the bill as presented by the commissions. Cities from the first class—being only the Greater New York and Buffalo—are exempted from its provisions, for the obvious reason that it would be physically impossible, under existing conditions, for five men to perform analogous duties for the huge, new and chaotic metropolis in addition to the task of looking after the smaller municipalities. The board is to have the general supervisory control of the government of the cities of the second and third classes (being all cities under 250,000 inhabitants in the State), and to this end it is authorized to prescribe uniform methods of book-



keeping, and of keeping statistics and a form of report for every municipal department. These reports are to be collated, tabulated and published at least once a year, with such suggestions as the commission may deem proper. Besides this regular source of information, the board is given great powers of investigation, either of its own motion or upon the petition of any citizen of any city. It is authorized to employ experts of any kind, and not only all municipal officers, but also all persons having contracts with municipalities, are required to furnish all information asked for by the board, whose subpoenas are given the same force as those issued by the Supreme Court. It would, therefore, be quite within the power of the board, in case of charges of jobbery, extravagance or corruption in the carrying out of a municipal improvement, to summon the city officers and the contractors, with their books and papers, for a searching judicial investigation, and to employ competent engineers, architects and accountants to report upon the true cost of the work and the percentage of profit made or demanded.

A further duty is imposed upon the board of passing upon the regularity of all municipal bond issues before they are placed upon the market. It did not seem wise in the beginning to give the board authority to pass upon the merits of the intended municipal debt and to disapprove it if it was considered undesirable. It will be admitted, however, that questions of the regularity of municipal bonds, whether their issue is within the limits set by the constitution, whether the purposes for which they are issued are lawful, or whether the steps necessary to create a valid lien in favor of such bonds have been taken, are most important, not only for the city, but also for intending investors. The bonds of solvent economical cities are largely held by savings banks. In other words, the small savings of workingmen, artisans and other people of limited means are largely invested in such securities. Every safeguard with which they can be surrounded presents, therefore, many incidental advantages beyond checking hasty or illegal action by the municipal authorities themselves.

Finally, the duties imposed upon the board, as a check to hasty and special legislation, are of great importance. It is provided that every bill relating to cities of the second or third class which is introduced into either house of the legislature shall immediately be transmitted by the clerk of such house to the board, and that the board shall within ten days thereafter report to the speaker of the assembly or the president of the senate, as the case may be, the opinion of the board upon such bill. It is likewise made the duty of the board to take testimony and to have hearings for or against any proposed change in any law relating to any city of the second or third class, if requested by either the Senate or Assembly or by the Governor to do so, and to report their conclusions in writing to the Senate, Assembly or Governor, as the case may be, from whom the request to act originated.

If the experience of the railroad commission can be taken as a criterion very few bills recommended by the board will fail, and very few measures disapproved by the board will become laws. The provision for a report by the board will prove especially valuable during the last weeks of the session, when the power to hold a report for ten days may often defeat jobs introduced at the last moment. At all events, an element of expert knowledge and opinion will be tentatively introduced into legislation on municipal subjects, and the sound common sense and almost unfailing political instinct of the American people may be trusted to develop the idea in whatever direction it proves to be most valuable.

This is in brief the scheme presented by the New York State Municipal Government Board Bill, and it is firmly believed that it contains the germs of a reform which will be found valuable in nearly all of the States of the union. At present the published reports of different cities are practically valueless for purposes of comparison, for the reason that the system of book-keeping and of keeping statistics is different in each place. The reason of this is not far to seek. When the village has grown to a size justifying a city charter the charter of the nearest small

city is usually copied by some enterprising attorney, with such changes as experience or the political exigencies of the place suggest, and it is passed with little discussion, no attention whatever being given to details by the legislature. The new mayor is quite likely to be a merchant, and even if that is not the case some successful merchant is apt to be in the Common Council, and when the new city stationery is bought he naturally attends to the buying of the account books, and being the only expert obtainable, he probably prescribes the method of keeping account as well as statistics according to his own experience in his shop. In most cases each municipal department keeps independent accounts, and the consequences of such a haphazard system may readily be seen if we take one very common example, which is the despair of students of comparative municipal administration. Where the streets, sewers and water supply are attended to by different commissions a certain amount of uniformity of records is indeed impossible, but even then no estimate of the continuing cost of keeping streets in good order can be made, for the same street may be excavated for purposes of repair by each one of these different authorities. Likewise in the administration of relief for the poor it is notorious that scarcely any account is kept in most places and petty scandals are the rule rather than the exception.

While the smaller cities of a great State, like New York, are widely separated in situation, their wants are not essentially different, and there is no reason in the world why any one city should not profit by the experience of all the rest, with reference, for instance, to the best material and methods of paving or of supplying water or light. When the present independent, wasteful methods are considered it may well be possible, if not probable, that the cost of the entire municipal government board might be saved to the people in the first year many times over by a comparison of the prices paid by different cities for various materials and services, provided the comparison would be made intelligently and by statistics gathered upon a uniform plan. That municipal bonds would sell materially higher if their reg-

ularity was certified by a State board may be readily assumed, and has been urged before our commissions by savings bank presidents and others directly interested. Nor is it unreasonable to hope that other advantages, both to the cities and to the people at large, would follow from the institution of such a new organ of government, and this may very probably prove to be the case in directions which, at present, perhaps, escape attention.

The disadvantages of the proposed law are quite difficult to imagine, unless it be assumed from the beginning that unfit men would be appointed and another political machine created. This objection would, however, lie, not to the idea, but to the persons entrusted with its execution, and would be equally valid against every other suggested reform. It is, indeed, no small matter to add one more board or commission to the long list of such commissions established in a State like New York. But here, again, the extreme importance of the work to be done, and the improbability of doing it in any other way, must be a complete justification. When the New York bill was first introduced some opposition was developed in various cities by mayors and aldermen, who feared centralization of power over municipal subjects in this small board at Albany. A careful examination of the bill, however, was sufficient to cause the practical withdrawal of all of these objections. The bill could much more properly be described as a measure in the interest of home rule, for its most important general result will be to enable the people of each city to work out their local salvation in their own way, thus stimulating local pride by checking the interference of the legislature, and, at the same time, giving to each the invaluable assistance and advantage of trustworthy knowledge and experience of all their sister cities.

We do not claim, however, to have discovered anything like a panacea. The American student of politics must become painfully aware by long experience that the stream of municipal government cannot rise higher than its source, and I think every member of the two commissions which recommended this measure was imbued from the outset with a strong distrust

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of the efficacy of any legislation to cure the ills of the body politic. We do claim, however, that the experience of England and the given facts of our municipal situation in this country warrant the hope that the State municipal government board may hereafter become a recognized institution of the American commonwealth, and that its possibilities for good give it a well-founded claim upon the attention of municipal reformers.

## THE REFORM OF OUR MUNICIPAL COUNCILS.

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HENRY W. WILLIAMS, ESQ., BALTIMORE.

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The necessity for the reform of our municipal Councils, if we are to obtain permanent good city government, has been proved by the experience of all our large cities and is now recognized by all citizens, whether reformers or not. New York, Philadelphia, Chicago, and so on indefinitely, have all suffered alike by their boards of retail dealers in political measures and patronage, called by courtesy Councils; but none, I think, have been blessed with the striking object lesson vouchsafed us here in Baltimore. And the lesson here is particularly instructive, in that the difficulty is not the conventional venality of such bodies, the causes of which are sometimes hard to trace; but simply the Councils' marvelous political performances, which, of necessity, have their origin in its political character and complexion. Last fall, by superhuman efforts, the city of Baltimore, in the fair name of reform, elected a Republican, in the place of the old-time Democratic Council. But the Republican members were nominated by the same methods and elected under the same laws which had been in such large measure responsible for the disreputable Councils of the past. They were nominated at ward primaries and were elected because, having been so nominated, their names were on the Republican ticket, which, through the reform feeling, carried the city by a large majority. They, therefore, like their predecessors, were the products of ward politics, and were the representatives not of the citizens of Baltimore who elected them, but of the ward politicians who nominated them. Although the victory was a reform victory, nevertheless, by a paradox which results from our method of electing councilmen, there was not elected a

single representative of the independents, or even of the reform Democrats or Republicans. As a concession to the better element, most of the Republicans nominated and elected were, to the extent of their enlightenment, honest and well-meaning enough, yet, as products of ward politics, they, like their Democratic predecessors, demanded as of their natural and inalienable right, vested through immemorable usage, the ear of the mayor to advise as to the appointments of the heads of the various departments, and each his ward's share of the smaller patronage. To this demand the mayor turned a properly deaf ear, although possibly an unfortunately contemptuous countenance, and then came the fight for the spoils, culminating in the extraordinary attempt of the City Council to pull them through a hole in the city charter. The town was scandalized, especially that portion which had established the immemorial custom which the Council naturally mistook for a right. I say naturally, because nothing else was to be expected. So long as the members of our City Council are elected by wards, the nominees of one or the other of the leading parties, being sure of election, so long will such nominees represent the politicians that control the primaries, and no one else. They are not selected by the suffrages of their fellow-citizens from a list of candidates, by reason of their comparative excellence, but are elected solely because nominated by the politicians of the majority party of a ward. If, therefore, after a reform victory, we are lucky enough to find the products of such a process honest, yet we will surely find that their first business will be, as the representatives of such ward politicians, to play ward politics. The citizens of Baltimore should not have been surprised, therefore, that this Republican Council, although elected by the reform sentiment, should have played the same kind of politics as its Democratic predecessors. And as for expecting a Council, the product of such a system, to handle with the least efficiency the important financial and industrial affairs of a great city, it is simply preposterous. It is not to be expected that the councilmen will possess the necessary qualifications of knowledge,

public spirit and ability. The result of relying upon such processes has been, as we all know, the mismanagement of our cities to the disgrace of our country, and at the expense of the pockets, comfort, happiness, health and convenience of the residents, rich and poor, Democrats, Republicans and Independents.

Such being the situation, what then is the remedy? The tendency of municipal reformers has been to meet this weakness of the Council by magnifying the office of the mayor, hoping by thus forcing the attention of the people upon an office of great power and corresponding responsibility, to elevate it, and, in spite of the Council, to thereby improve the municipal administration. But it is to be feared that the remedy may prove worse than the disease. A good mayor is essential to good government, but after all the mayor is but the executive, can but execute the city ordinances, and cannot, of his own power, discharge the more important functions of a municipal government. A city exists (among other things) to protect the health, life, person and property of its citizens, to furnish them, or to have them furnished, with light, water and transportation, to maintain streets, alleys and public parks. Some corporate body must determine how and at what cost these various ends are to be attained. To bestow this power upon the mayor, to have him not only execute laws but also enact them, and thus determine the policy of the city, is not only contrary to the spirit of our institutions, but would be absurd. This is a representative government, and these matters of policy and finance must be determined by a representative body. I can imagine a city administered by a Council whose chairman should act as executive, but I cannot imagine a modern municipality controlled and managed, its policy determined, its money collected and spent by one man, no matter who he may be or how elected.

One man cannot represent the people; can neither meet their wants nor respond to their demands. One-man power is, in its nature, irresponsible, and must lead to greater abuses than even the weakest kind of representative government. And experience is with us here. The policies of the successful munic-



ipalities of the Old World are not determined by one, two or three men, but by representative bodies of citizens. I am not to be understood, however, as advocating any interference with the executive powers of the mayor. On the contrary, a strong executive is as important as a strong Council. Even if elected by the Council, as in some foreign municipalities, he must be vested with the executive powers. But let us only substitute for our present weak and often venal Councils bodies composed largely of strong, public-spirited and representative men, and the elevation of the executive will follow. With a competent Council, supervising through its committees the various city departments, the present inefficiency and wastefulness of our municipal administration would be an impossibility, and we would be able, not only to reform and perfect the existing municipal departments, but to take up such questions as the municipal control of light and transportation, with the assurance that if such control were assumed it would be exercised wisely and beneficently.

But how are we to obtain such Councils? It cannot be objected that it is impracticable, for what has been done we can do. But we will have to recognize and meet the existing political situation. It is to be noted first, however, that the Council should consist of one body and not of two. The reason for the division of legislative assemblies into two bodies is to prevent political revolutions, otherwise, however, such division but hampers and impedes ordinary business, and, by dividing the responsibility, subjects public affairs to the blighting influence of political deals and tricks. Playing politics is, as a rule, the only occupation of two branches of an assembly when pitted against each other. But municipal Councils are not political bodies and have no political power for good or evil. They are but the directorates of the most influential corporations of the day. Their functions, although as stated, broad and of great importance, are strictly limited to directing the policy and supervising the administration of the internal affairs of the city, and their duties, therefore, can only be properly discharged through various committees, which, under the direction of the entire body, shall

devote themselves to the careful investigation of municipal questions and to the supervision of the different municipal departments. The Council, therefore, should not consist of two political bodies, playing politics for political capital, but should be a business body of a sufficient number of men to attend, through its various committees, to the municipal affairs. And, evidently, in order to give the body a certain permanency and thus prevent sudden and ill-considered changes of municipal policy its members should not be elected all in any one year, but not more than one-half of them at a time.

But after all is said and done the essential, the all-important one thing (be the Council organized as it may) is that the councilmen should be largely representative, able and public-spirited men. For what's the gain if the Council be reorganized and yet represents not the progressive intelligence of the community, but then, as now, the ward politicians? A good city councilman cannot be made from a small-fry ward politician. If we are to get our Councils out of ward politics we must get our ward politicians out of our Councils; and this, I believe, in the existing political situation can be done in but one way, and that is by the total abolition of ward lines and the election of all members of the Council upon a general ticket so as to secure the proper representation of the entire electorate and each political division thereof. At present, as we have seen, the councilmen are nominated at ward primaries by the ward politician, and the nominees of one set of politicians or of the other are sure of election; and we have what we have. But if the candidates were nominated regardless of ward lines by city primaries, party convention, independent lists or otherwise and then elected on a general ticket, the votes being so counted that each party or independent organization should be represented in the Council by the leading candidates upon its ticket to the number to which its total vote showed it to be proportionately entitled, then would not only each party, Republican and Democratic, elect the number of representatives to which their constituency entitled them, but so would also the Labor party, the Prohibitionist and the

Independents. But even more important than this, the candidates of each organization would compete among themselves and thus the best-known and best-equipped men nominated would be almost sure of election at the expense of the old-fashioned ward politician. What we should thus obtain would be a representative Council, not an ideal Council, but a Council really representative of the various elements of the community instead of, as now, merely representative of the ward politicians who control the ward primaries. And it is not as difficult as it would seem to bring about this result, which would work such a revolution in our municipal governments. In this State, for instance, no constitutional amendment would be required, but merely an act of legislature abolishing the wards, and directing that the councilmen should be voted for on a general ticket and the votes then counted in a simple and perfectly just manner. It evidently would not do to declare elected all the candidates on the ticket which received the majority of votes, for that would deprive all but the majority party of all representation, and our last state would be worse than our first. So the practice has been adopted in some other countries and localities, and approved by the Proportional Representation League, of first apportioning the number of representatives (that is councilmen) to be elected among the various parties and organizations according to the number of votes cast for each ticket, and then counting the votes for the various candidates on each ticket to determine which of such candidates, as among themselves, have been elected to fill such positions. The various parties or organizations would, under this practice, nominate by convention, endorsement list, or, indeed, in any legal manner they preferred, as many candidates as there were councilmen to be elected, and the names of such candidates would then, as now, be printed upon the ballots under the title of the office in the proper party or independent column. No change would be made in the method of voting. Each voter would be allowed to vote for as many candidates as there were councilmen to be elected, and would do so by stamping the party emblem if he desired to vote

straight, or if not by stamping the names of the candidates for whom he desired to vote. For convenience, however, if the voter desired to vote for a few candidates on other tickets and to cast the balance of his votes for his party ticket, he would be permitted to do so by marking such candidates and then stamping his party emblem. And here the work of the voter ends. So we see that as far as he is concerned there is absolutely nothing novel in the system. He nominates and votes for his candidates in the same old familiar way. But as the result we desire to attain is that each party or independent organization should be represented by the number of councilmen to which it shows itself by its vote to be proportionately entitled, the votes must evidently be first counted for the various tickets to determine such number. It is in this count that the entire novelty of the system consists. And this novelty consists simply in this: That each ticket is first credited with the full number of votes cast for the various candidates thereon, a vote for the emblem being counted for the full number of councilmen to be elected, less, of course, any votes the elector may have cast for candidates on other tickets. The votes being thus counted the number of councilmen elected on each ticket is determined by the ratio of the vote cast for such ticket to the total vote cast, and the candidates upon each ticket to such number receiving the highest number of votes are thereupon declared elected.

Let us suppose, for example, that, as in this city, there are twenty-two councilmen to be elected, and, tickets being nominated by the Democrats, Republicans, Labor Party, Independents and Prohibitionists, 100,000 ballots are cast. There being twenty-two candidates, of course the total vote cast for all of them would aggregate twenty-two hundred thousand, of which, we will assume, the candidates on the Republican ticket receive 900,000, on the Democratic 900,000, on the Labor 100,000, on the Independent 200,000 and on the Prohibition party 100,000. Evidently the councilmen should and would be apportioned among the various parties in like ratio—that is, the Democrats and Republicans would each elect the nine, the Independents

the two, and the Labor and Prohibition parties each the one candidate on their respective tickets receiving the highest number of votes. Each party and independent organization, therefore, would not only be represented in the Council by the number of councilmen to which it was proportionately entitled, but the representatives of each party would be selected from among all its candidates by the voters themselves at the polls.

As it is readily seen, the system above suggested is not in any sense a decided departure from the system of voting now in vogue for many offices. The members of the legislature in this State are so elected. Baltimore City is divided into three legislative districts, each of which elects six members of the legislature. Each party, therefore, under the present practice, nominates in each district six candidates, and each voter casts his ballot for six; or, in other words, casts six votes for such candidates, one for each, just as in the illustration given, each voter was supposed to have cast a ballot for twenty-two members of the City Council, or what is the same thing, to have cast twenty-two votes for such members, one for each. The suggested system, therefore, is nothing after all but the application to the City Council of a system of voting familiar to us all, the vote being then counted in a manner to meet the requirements of a municipal election for councilmen. And this continuity of method is important, in that the people are properly slow to accept radical changes, but are usually willing to further the extension of methods and practices with which they are familiar. But in the discussion of the method we should not lose sight of the purpose—the reform of our City Council. Let us consider, therefore, to what extent the reform suggested will meet the existing political situation.

Under the present system of ward representation the entire community is at the mercy of the ward boss. By the rearrangement of ward lines, called a gerrymander, a party in power can so divide a city that it can subsequently, through the Council, thwart public sentiment—even if backed by a majority of votes. But without reference to the possible evils of the gerry-

mander, it is a necessity of the situation that any attempt to work for good government, except through the national parties, is entirely hopeless. The Independents, the Prohibitionists, the Labor Party are alike unable to take any effective independent action. All these organizations may have large followings, sufficiently large to entitle them by right to representation, but these followings are scattered throughout the entire city, and if any such organization is rash enough to nominate a ticket, it is sure to be beaten in the various wards by the national party which happens to control them; while on the contrary, if the contest were to be made throughout the entire city such organization could concentrate its strength and thus elect the number of representatives to which its constituency entitled it. Under the present system, therefore, for any but the national organizations to nominate a ticket is but to court discouraging defeat at the hands of the ward politicians, while under the system suggested any organization could nominate a ticket for the Council and obtain its proper representation. As a result of the present unfortunate situation, we reformers, if we wish to obtain this or that particular reform, are compelled to almost betray our cause and play into the hands of one party or the other. If, however, ward lines were abolished we could at once independently of such parties elect our representatives to the Council, there not only to hold the politicians in check, but also to make publicly the people's fight for the honest and efficient administration of municipal affairs. Under present circumstances it is impossible to organize a municipal party not doomed to immediate defeat, to the discouragement of the reformers, while under the system suggested such party would be certain of sufficient immediate success, through the election of one or more councilmen, to carry the fight for good government into the Council itself, where such representatives would be in a position through their good work to so commend the party and its purposes to the people that it would be able, gradually but surely, to bring about the permanent improvement of our municipal government. But the beneficial effects of the suggested reform

would be felt at once, even if the full realization of our hopes was long delayed. The standard of the Council would be immediately raised by the presence of several members, capable, energetic and well-informed, whose sole aim would be good government. Even as our Councils are now constituted, the presence of a few such men would be an immeasurable gain, but under the system suggested their usefulness would be much increased, as the national parties would not only be more equally balanced, but would each be represented by a better class of men. In this connection it is of interest to note that if the present Council of this city had been elected as suggested, its unfortunate course would have been an impossibility. There were twenty-two members of the first branch of the City Council elected, 100,692 votes being cast, of which the Republicans received 53,183, the Democrats 45,176, and the Prohibitionist and Social-Labor Party the remainder. Even, therefore, if there had been no other nominations and no change in the vote, under the system of proportional representation the Democrats would have elected ten and the Republicans twelve members of the City Council, while as it was, through our ward system, the Republicans elected eighteen and the Democrats but four, and it was only this overwhelming majority that enabled the Republican spoilsmen to carry their point. But it may be safely assumed that, except for the domination of the city by the ward politicians, the Independent, and, possibly, the Labor and Prohibition parties, would have each elected representatives, who, in all probability, would have held the balance of the power; in which case, instead of the present unfortunate Council we would have had probably the best Council the city has known for many years.

I have only had opportunity here to note in the most cursory way a few of the beneficial results which would follow from the abolition of ward lines and the election of the members of the City Council upon a general ticket in the manner suggested. But these benefits do not, in fact, need to be recited at any length. Every one, I think, realizes that the bane of our munic-

ipal governments is the ward politician, and his ability through our ward system to impose his creatures upon us as our representatives. Everybody, I think, must realize, as soon as it is suggested, the great advantage of having a Council representative, not of the ward politicians, but of the entire community, the members being selected by the people themselves from all the candidates nominated by the various parties. Such a Council would be so immeasurably superior to any that we have known in this country that it is not necessary to present arguments in favor of it, but merely to discuss the practical question of how we are to obtain it. I believe myself the people of our cities have only submitted to the Councils which have misruled and misrepresented them because they saw no way of escape from the ward politician, and I believe that if we properly present to the people the opportunity at one stroke to rid themselves both of the ward politician and his creature, the ward councilman, they will grasp it and thus give us City Councils which will put our city governments upon a much higher plane. I would, therefore, urge upon this body of municipal reformers this special, all-important reform. I urge its advocacy in season and out of season, as it is only by reiteration that such causes are won. We cannot expect to win in a day or in a year; we fought long for ballot reform and won, long for civil service reform, and elsewhere have won, and are here on the eve of victory. Let us now direct our fight against ward politics and the ward politician, and never stop until, through the abolition of ward lines and the election of our councilmen upon a general ticket, we obtain municipal Councils, representatives, not of the ward politicians, but of the intelligence and honesty of our municipalities.



## SHALL WE HAVE ONE OR TWO LEGISLATIVE CHAMBERS?

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SAMUEL B. CAPEN, Esq.,

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I have doubtless been asked to speak upon this subject because one of the changes in the city charter, which the Municipal League of Boston has been advocating the past two years, is the substitution of one legislative body in the place of our present bicameral system. It possibly will be more practical if I, therefore, discuss it from the Boston standpoint.

We have first a Board of Aldermen of twelve men, chosen upon a general ticket, no voter being allowed to cast a ballot for over seven men. This gives minority but not proportional representation. It was supposed when this legislation was enacted a few years ago that the political parties would nominate each a full list of twelve men, which would give some freedom to the voter when he came to cast his ballot. But as a matter of fact the parties nominate but seven men each, so that twelve out of the fourteen nominated by the two principal parties are certain of election. Mayor Quincy has put the truth very compactly in the statement that the only thing the voters can do is to say which two of fourteen men nominated they will reject. You do not wonder that our citizens, with the exception of the politicians pure and simple, are dissatisfied with this plan.

Second, we have a Common Council of seventy-five members, chosen by districts from the twenty-five wards of the city, from whom most of the power was taken by the charter changes of 1895; and whose usefulness, therefore, with its limited power, is practically at an end. Both bodies are now chosen for a term of but one year.

The change proposed by the Municipal League is to abolish both bodies, as now constituted, and substitute therefor one new body of twenty-seven members, chosen for a term of three years, one-third to be chosen each year, and to be called a Board of City Councillors. We have placed the number at twenty-seven, as one sufficiently large not to be easily corrupted, and yet not so numerous as to degenerate into a debating society instead of a business body. Our proposition has been to pay a salary of \$3000 to each member and no expenses to be allowed to the members for carriages, refreshments or any other personal expenses. We believe it would be economy for our city to pay a salary commensurate with the importance of the work to be done. Cheap service is usually expensive service in the end; the best is usually the most economical.

Our bill further provides that this board shall be chosen by proportional representation, following quite closely the so-called free list system.

What municipal reformers everywhere are trying to accomplish is to get our city governments away from a political and upon a *sound business basis*. We have been nominating municipal officers and voting for them along national party lines because they are Republicans and Democrats, and have constructed our municipal machinery after the national pattern of a Senate and House of Representatives. We are wrong at both points. A nation or a commonwealth which covers large areas of territory and which has varied interests, agricultural, manufacturing and commercial, may wisely be governed by two bodies. But it does not follow that the government of a city which is a corporation should need two boards of directors any more than a railroad corporation or a trust company.

There are three reasons we would urge why we believe a single body of the moderate size we have proposed to be better than two:—

*First.*—It will give us a more *efficient government*. As is often seen in our national government, so in the legislative bodies of our cities, there are often petty jealousies and a constant

working at cross purposes. In one branch the Republicans may have a majority and in the other the Democrats, and so we have the unseemly spectacle of legislation introduced or hindered, as the case may be, because of its effect politically. The thought of being trustees of a great corporation is forgotten entirely.

*Second.*—We believe a single board always tends to *economy of administration*. The second body often increases, it rarely ever diminishes, public expenditure. In order to bring the two bodies into harmony and get the required number of votes it is almost always necessary to appropriate large sums of money to be spent in the districts of various members for their selfish and personal interests and not because of the public necessities. The local "boss" must be placated and appropriation bills are "held up" until his demands are satisfied. It is very expensive to harmonize legislative bodies when they are composed of much of the material we have in power in our great cities.

*Third.*—We believe a single legislative chamber would help to define *responsibility*. All joint committees would, of course, be a thing of the past, and the voters would be able to see without any chance of mistake just who is responsible for all legislation, where the blame rests when things go wrong, and thus makes it possible to apply the remedy at the polls. The whole science of government is in this direction of providing such a system as shall make responsibility clear and distinct. We are reducing commissions of three men, whenever possible, to single commissioners for this reason. The change we advocate would, of course, give greater power to one board; but it is safe, because with the greater power comes the definite responsibility, with no chance of shifting this upon others. Our great business corporations achieve their greatest successes by making the work of subordinates very exact and holding them to a rigid account. We shall succeed in municipal government as we hold most closely to this idea. From the beginning of the world to the present hour Adam wants to find an Eve upon whom to put the blame for his sin. Eve, in turn, puts it off

upon the Devil. We want a system which will enable us to know, without inquiring and at once, whether the mischief originated with Adam or Eve or the Devil.

There is one objection which is sometimes urged to a single board which ought to be noticed, viz., that you run the risk of hasty action and do away with the check which comes through a second body. But we have provided this safeguard in our bill in a Board of Apportionment. This board is to consist of the mayor, the chairman of the Board of Councillors, the auditor and the two senior members of the Sinking Fund Commissioners. All estimates of the various departments at the beginning of each year must be submitted to the board. Every expenditure of money must first be approved by them, and cannot be changed except by a two-thirds vote of the whole Council and the approval of the mayor. We also provide that "no order authorizing a loan or expenditure of money or authorizing the granting of any franchise affecting the use of the public streets shall have its second reading until six days, including Sunday, shall have elapsed after its first reading."

We believe that such a board of twenty-seven men as we advocate, plus a small Board of Apportionment of five men, would be a better safeguard to the finances of the city than we have to-day with our two boards as now constituted.

It certainly is germane to this question to point briefly to the experience abroad. We know that, as a rule, the cities of Europe are as conspicuous for good municipal government as the cities of America are for inefficiency and corruption, and not a single great city in Europe has the bicameral system. The universal custom there is for the voters to choose a single body called Councillors, who choose from among their own number, usually, an Executive Committee, whom they call Aldermen. But the whole power rests with this single body and to whom the Aldermen are responsible. The principle is exactly the same as we employ to govern our great business corporations. The Single Board of Directors (called councillors), chooses a chairman (called the mayor or burgomaster) and an Executive Com-

mittee (called aldermen). Under such a plan there is no division of responsibility and no conflict of authority. Why should not America follow in a path which has led to such brilliant success in the old world, and which commends itself to our reason and to common sense?

When the town of Boston became a city its first charter was a compromise. The Board of Aldermen was provided to take the place of the former board of selectmen and the Common Council was to represent the people. But in the changes which have been constantly made the executive work of the old selectmen is now performed by the mayor. What we need, therefore, and all we need for legislative purposes, is a good working body, which shall be in touch with all the people. We need the best representatives from the great financial and business and labor interests, sitting together with a single aim to promote the public welfare. It will be a great step in this direction when we abolish all methods and machinery which remind us of national politics and consider the business of our cities as a great trust, to be administered upon business principles. Then, and then only, shall we rid ourselves of the petty and scheming and selfish politicians of all parties and make it possible for our best citizens to do honorable service in making the cities where they live more and more like a City of God.

## A SINGLE OR A DOUBLE COUNCIL ?

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I venture to assume, in discussing the question of a single or a double Council, that the intention is to secure breadth of treatment, and arrive, by comparison of views and observation, at some approximate general standard, rather than to take absolute and positive ground in favor of one side or the other as the question stands.

It is probably worded as perfectly as possible, but its adequate consideration necessitates the examination of certain conditions not implied in the literal statement of the question, but which seriously affect a useful discussion of its merits.

It is conceivable, for instance, that two chambers improperly constituted might merely multiply, and a single chamber simply lessen the extent of evils, the absolute removal of which is essential to good government.

It is also possible that conditions which make a single chamber more or less efficient and safe, and a double Council more or less necessary, when their proper character has been ascertained, may vary in different cities.

The intimate personal relations of the inhabitants of a small community, the unavoidable publicity of official acts, and the consequent pressure of public opinion go far toward securing good government, without reference to the artificial machinery essential elsewhere. I am inclined to think also that argument and contention are far less essential here than the amplification of fundamental ideas and facts, and, above all, a clear and comprehensive statement of the case.

Is a single-chamber council adequate ? Should it be exec-

utive in its character? What are its limitations as an executive or legislative body, or both? How will a properly-constituted double council provide a remedy? How should it be constituted to provide that remedy? What should be the powers and limitations of a double council, and what distribution and balance of powers should exist in the city government, as a whole, in order to add to the efficacy of each and all departments?

The matter hinges obviously upon a variety of contingencies. It even involves a consideration of population and national and race traditions.

First of all it is necessary to get our bearings and catch the thread of historical development, that underlying, though unwritten law which will shape and determine the form of city government eventually in spite of all our theories, though it may operate through our efforts.

The present government of cities is, in my opinion, a mere episode, largely eccentric and artificial, in a process of formation.

Our national institutions, culminated by a process of crystallization, so to speak, after centuries of preparation, and the men who framed the Constitution, were only the final instrument in an historic process of growth.

May there not be some guiding line of thought here, some race tendency which marks a sort of constitutional fitness and necessity which we can no more escape than a tree can escape its root hold and nourishment in the soil? Is not the movement for reform a movement of readjustment, or perhaps better still, a clarifying process to preserve and perpetuate the essential good and remove extraneous elements of confusion that arise from falsely applying or wholly abandoning original principles? Given the line of leading projected from accumulated experience, the business of modification and adaptation should be simple and comparatively rapid. There are two ways to find it. One is by testing popular feeling, very widely now, on the theory that the natural law may be generalized from a comparative study of real-

ized popular necessities. The other method is research to ascertain how the necessities of human government were met when the elements of institutions came, so to speak, from the soil like other natural products. Both indicate what a city is and how it should be governed.

I have, accordingly, sent letters of inquiry to the mayors and city attorneys of many cities, and reduced their replies to the following general statement: The general tendency is toward adequate representation, extensive powers of local legislation, closeness of the citizen to the official, responsible executive power, full deliberation and simplicity.

To those familiar with political history this points unmistakably to the town meeting, which is not only government in itself, but the origin of all free government. Above all, it is local government to the fullest extent, at least for the purpose of definition. Its lineal descendants, the town and the city, are not mere corporations, but political bodies also. They have inhabitants who are stockholders and something more. They are citizens. They govern and are governed. Their lives and fortunes and characters are involved, and the analogy which associates the historical origin of the American double council with a mere compromise like that between the States, as something purely accidental and extraneous, is not wholly accurate.

In view of these facts the contention that cities should be governed by a mayor and a board of directors, "like any other corporation," appears illogical and revolutionary, and it is further weakened by the fact that a board of directors is not only inadequate, but is the single chamber in its worst form, with an absolute independence which is dangerous, because irresponsible and practically unchecked. The truer statement is that the form of government in both cases grew out of the natural application of the foregoing principles to complex conditions of administration, more or less consistently and adequately in the general government, and very imperfectly in many cities.

The question before us then is, how shall we rearrange



present machinery and apply the town meeting idea to the complex government of a great city, so that we may stand in the same position of effective control toward our public servants that the men of the town meeting held toward theirs? What is the best method of making this application effective and safe?

The limits of this paper will not permit of detailed comment and illustration, but I will call attention in passing to the fact that an early and very complete development of local government in England took place in London, with its mayor and double board, composed of the aldermen or head men of the guilds, and a common council, both elected by the people. This form of government has existed six hundred years. John Fiske describes it as a truly representative republic, and says that the legislative power of its council "within the city is practically supreme. Parliament does not think of overruling it. And the city government thus constituted is one of the most clean-handed and efficient in the world."

I received a letter from the mayor of Buffalo the other day saying they had tried the double council there for four years, with satisfactory results, after fifty years of the single chamber system. The weight of testimony in favor of two chambers from St. Louis, Cambridge, Cincinnati, Allegheny, Dallas, Denver, Erie, Lowell, Richmond, Worcester (Mass.), Wilmington (Del.) and other cities is emphatic and unqualified. Indianapolis, Cleveland, Dayton, Burlington (Iowa) and other cities have its equivalent in a more or less perfect and satisfactory form—in some cases an executive board, in others from one to six aldermen, elected at large as members of a single chamber, otherwise representative of wards.

It is not necessary to slavishly imitate either London or Buffalo, but it is advisable to apply the same general plan still more perfectly in the light of local necessities. It is both conservative and progressive in the best sense of the term to secure a maximum of reform with a minimum of change, and by readjusting municipal machinery in such a way as to adapt the town meeting idea in its fullest development to new and complex con-

ditions, we hold to a line of consistency and safety which runs through all the political history of the English race, and appears on the whole to be the best method of serviceably fitting the mere form of administration to the dominant idea of free government.

In bringing this about the first essential matter would appear to be extensive local powers of legislation within definite and well-considered limits, and the city of London is a precedent in point. It is of the essence of free government to legislate locally. The word by-laws was the original term for town laws. Moreover, the position of a city legislator should be made as attractive as possible through the dignity that comes from large responsibility. Finally, "the remedy is most readily found where the evil is felt," and State legislators do not realize and understand the needs of cities. A pointed illustration was the passage of a bill in Wisconsin to practically exempt the Milwaukee Street Railway Company from paying taxes. It was sent to Madison from Racine. The people of Milwaukee were scarcely aware of it. Public opinion resents it. This particular bill could never have run the gauntlet, even of our single chamber, much less of a double council equipped with the necessary powers of legislation. One of the prime requisites in a city council is suggested by this illustration. It should have abundant legislative powers, but in proportion as its legislative powers are increased, the element of delay—adequate deliberation—which Mr. John Boyd Thacher calls the "most blessed merit" of the double council system, should be its guiding principle. But while there may be deliberation in a single council in the sense of thorough consideration, the delay essential to the defeat of dangerous measures can only be had with certainty in a single chamber when that body is ideally constituted.

It is conceivable that a measure like the bill referred to might be rapidly passed through a single chamber unobserved and unchallenged. The city attorney of Denver says: "The danger of a single council is found principally in hasty and secret legislation. The objection to ward representation is that

inferior men can be elected." That is alone a strong argument for the double-chamber system. The city attorney of Erie says: "The double-chamber council system seems to meet with universal approval, and in practice it works well. It prevents hasty and ill-advised legislation, and each council acts as a check upon the passions and self-interest of the other. I do not think our citizens would be willing to return at any time to the single council form of government." Mayor Walbridge, of St. Louis, says: "The double council 'has elements of safety' and is 'less liable to abuse' than the single-chamber system."

In the Milwaukee single chamber there is a rule that appropriations and similar matters shall lie over a given length of time. In the literal sense of the term this is delay; but they are taken up again by the same men, in the same frame of mind, guided by the same motives, convictions and interests; whereas, the delay of the double system entails more publicity, fresh thought and a new point of view. To a certain extent this advantage inheres in the usual second chamber, but there are disadvantages involved which do not belong to a chamber elected at large. The wards vary greatly in the character of their population, but the average honesty and integrity of an entire city in any case is high. It has been known that a ward has elected an ex-convict to the common council. A second chamber on a ward basis might intensify the evils we desire to remove, but representatives elected at large, upon whom the entire city is agreed, are likely to average high in judgment and character.

In the correspondence upon which this paper is partly based the most thoughtful testimony is in favor of a double council elected at large with increased legislative powers.

There is a surprising tendency, also, even in the far West, to concentrate all executive powers in the hands of the mayor, and as the presence or absence of executive powers materially touches the character of any council, and particularly the double system, it requires consideration here. In examining

the council system of an average American city a curious spectacle is presented.

The mayor is elected to represent the people directly and effectively in an executive capacity; but, with bungling inconsistency, the council shares these powers and hampers the executive in their exercise. An illustration is offered by a case within my own knowledge. The mayor of Milwaukee some years ago refused, for cause, to grant a liquor license. He had to contend with a rebellious single chamber, largely controlled by the saloon element. The saloon in question was on a principal street, in the midst of private residences. The council overruled the mayor.

It is to be presumed that a second chamber, elected at large, would have supported him; but even with a double council the responsibility in such a case should rest with the mayor only. The other tendency has, however, been followed in Milwaukee. The ordinance delegating control of licenses to the mayor has been repealed. A council committee has complete control, and a saloonkeeper has sometimes been its chairman.

But the evils of a single executive and administrative chamber do not end here. On the contrary, the administrative committees on construction, printing, the purchase of school sites and other like matters offer opportunities for private gain, the removal of which is the only means of counteracting conditions of ignorance and vice in the native population, and inexperience and credulity among foreign voters, by means of which the speculative demagogue secures election as a ward representative; and, in my humble judgment, such men would rarely seek election if that kind of spoils were wholly removed; and it is self-evident that such executive responsibility would be much safer in the hands of a man elected at large, or his appointees, than in any committee of local representatives, where accountability is less definitely concentrated.

Finally, the men of the town meeting enjoyed adequate representation, not in portions or sections, but altogether. They

met in a body as citizens of the town. In a modern city, with a single chamber on a ward basis, the means, by reason of its limited and fragmentary character, defeats the end, even in the ward. Through the system of "trading" the whole council represents each of several wards in turn, or, more accurately, the interests of the aldermen and their friends, and various wards vie with each other in undertakings of an expensive nature. Local representation, through outdoing itself, represents neither the interests of the city at large nor the ward itself. This tendency is very marked in cities like Milwaukee, which have been formed by the more or less unwilling union of "rival and antagonistic hamlets, at first independent of each other," and "afterwards aggregated by force of law in a single corporation." Each ward stands close to its representative in getting "improvements," and in local jealousy, but not so close in checking unnecessary local and general expense, as if it had the united citizenship on its side in the corrective influence of a second chamber elected at large and devoted to the interests of the city as a whole. The tendency to the undue and unchecked ward influence of a single chamber is fatal to well-balanced and symmetrical government, and, of course, the general interests of the city, which often find their sole legislative representation in the mayor's veto, under the single-chamber system are likely to be seriously jeopardized by a two-thirds vote of a body, the character of which is uncertain, and therefore require the protection of more disinterested action in a body elected to represent the entire community. Obviously, the council should not only be double, with one chamber elected at large, but it should be a purely legislative body. It is scarcely necessary to add that the double as well as the single council should be elected in alternate sections.

With a double council of that kind we have the adequate representation and deliberation of the town meeting in another form. With an untrammelled mayor we have concentrated and definite responsibility for executive acts, which a jealous council, with power to impeach, would readily enforce. With a single representative from each ward and a small second chamber

there is a decided gain in simplicity, and by combining all these things with civil service rules and a proper limit on the participation of city officials in politics while in office, it would appear that city government must become as nearly perfect as any system can make it.

It may be urged that the town meeting elected a single board, but the people then governed directly in small communities, and dealt, so to speak, at arm's length with the selectmen, and it is not proposed, nor is it possible, to govern by town meeting in a modern city, but only to attain the same result.

It may also be said that the leading illustrations are inaccurate, because senators are elected to represent States and the members of the upper London chamber to represent wards; whereas, it is proposed that the upper municipal chamber shall represent the city at large, to which it may be replied that we are not dealing with the specific literal form, but with underlying ideas which are not wrought out with absolute perfection either in the city or the State in any instance.

It is urged in some quarters that proportional representation may so far determine the constitution of a single chamber as to bring it within the limits of the question. But while that admirable system might prove very valuable in national elections, a single municipal chamber elected under it would still lack the adequate delay of the double council. It does not permit of ward representation, which is an evil only in its abuse; and there is some reason to fear that it would lead to hopeless discord and confusion by importing into a single council thus constituted a great variety of seriously jarring interests. Above all it appears to recognize national party in the city, and even to make party its basal idea. The application of the system as proposed in Boston is a confession of the inadequacy of the single chamber as at present constituted in American cities.

I submit, in conclusion, that, in view of all that has been said, it is better to have a double council for purposes of legislation in any case; but if the council has the power of making

contracts it is an absolute necessity. In all cases one chamber should be elected at large, and legislative and executive functions should be entirely separate and distinct.

It cannot, however, be stated with too much emphasis that single changes will never produce perfect government. The readjustment must be general to secure unity of operation, and should include complete severance from national politics.

NOTE.—Since reading my paper at Baltimore I have been greatly obliged by a suggestion from Miss Hosmer, of Washington, D. C., in regard to the government of the greater, composite London by the *County* Council, which is, I understand, a single board, but which, so far as I can learn, in no way interferes with the essential institutions of the "city," or "London, proper," and is not expected to do so in the future except so far as they involve "peculiar immunities and privileges." The ideas which those institutions imperfectly represent have withstood the attacks of six centuries, and are not likely to yield in the future. John Fiske says the government of London, that is, the "city," reproduces "on a small scale the national government." Dr. Shaw refers to "the survival of the old-time municipal government, as it *exists* within the narrow bounds of London, proper." It consists, as stated, of the mayor, a board of aldermen and a common council. The single board in other cities of monarchical England, with a limited suffrage, has, it is true, often supplanted the original tendency to the development of the natural forms of popular government, and, curiously enough, along lines which are democratic in their *form*. The committee system in the single English chamber appears to be a success. It is undeniably a failure here, and it is thought necessary by many to employ the monarchical form in this country by means of the mayor system, in order to rescue the substance of democracy through the direct expression and execution of the people's will by a responsible and easily-removed executive. Escape from the evils of the administrative committee is sought by placing its scattered responsibility in the mayor's hands; and

unrestrained perversities in the suffrage, which are as yet unknown abroad, can certainly be met by a second chamber elected at large.

The goal of the speculative ward politician in American cities is the council committee, with its power and profit. Such committees are said to be useful and essential in England, but their removal appears desirable here, to keep bad men out and make room for "good men" in our councils. For a description of the double board of the city of London the reader is referred to John Fiske's "Civil Government in the United States," page 107.



## SHOULD MUNICIPAL LEGISLATORS RECEIVE A SALARY?

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In view of the experience of our American cities in the matter of municipal government—an experience uniform in little save the unhappy results—he must be a brave man who will dogmatize as to the form of government and the arrangement of details which shall best aid us in solving the problem which has thus far baffled all our cities. As to the question under consideration, we can only try to determine the most hopeful lines upon which experiment might be made. This is so largely because no considerable city in the country has been permitted to carry to a logical conclusion any experiment in municipal government. No sooner has some form of municipal government developed in practice a weakness at any particular point than an appeal has been made to the State legislature to remedy the apparent evil—and this without sufficient inquiry as to whether the evil was inherent in the system under trial, or but an incident to the operation of new and untried machinery. The result is that we can hardly distill from the experience of our cities any satisfactory and useful generalization in regard to the kind of government best suited to the cities of this country under present conditions. We have little to guide us, save the experience of cities in other lands, and the purely abstract conclusions of *a priori* reasoning. If any one large American city could be left for a number of years unmolested by the State legislature to evolve from within itself, under the most general provisions of a State law, its own system of local government, meeting and overcoming its own difficulties with its own resources of civic virtue and wisdom, we should learn more of the

way to solve the general problem with which we are concerned than we are now likely to learn in three times as many years.

To the proposition adopted by us Americans that each community of free men should govern itself, a necessary corollary seems to be that no community of free men can secure from sources outside of itself a government better than it can evolve from within. Temporary relief may be had from outside, but government of the only kind with which we, as Americans, ought to be satisfied can be secured to a community only by a process of internal growth. This process would involve, perhaps, internal difficulties and disorders from which the timid would shrink, but which, if it could be known that the community must deal with them single-handed, would pave the way to the ultimate triumph of the splendid capacity of the American citizen, too often latent, to work out his own political salvation at the very time when his case seems hopeless. If we could have for five years in this country a single free city of a million inhabitants we should hear very little more about the hopeless problem of municipal government.

For light upon the question as to whether municipal legislators should receive salaries or should serve without compensation, let us turn first to experience. Of European cities it may be said, generally, that they have municipal councillors of good character and sufficient ability who fully represent their constituencies; and that they serve without pay. Of American aldermen it may be said, generally, that they are, in both character and ability, below the standard of their communities; and that they serve either without pay or for very small salaries. An attempt to deduce a useful conclusion from these principal facts would involve a long and probably inconclusive comparison of the conditions under which municipal government is conducted in this country and in Europe.

We are then compelled to make the attempt to determine, as a matter of pure theory, what the proper policy of American cities, under present conditions, is in the matter of compensation of members of the local legislatures.

Probably the following propositions will be generally accepted: We have, not as a rule, in this country a class of citizens who have at once the proper equipment for the higher grades of public service and time which they could devote to the service. Those who are most deeply and intelligently interested in our problems of government are men so occupied with business or professional cares that such time as they devote to public affairs is stolen from their sleep or from the work upon which they must rely for the support of themselves and their families. Many of them would prefer to give all their time to the service of the community, but they find that they would not be justified in abandoning the occupations upon which their livelihood depends. As to municipal affairs, it is true, further, that, as a rule, those who are most alive to the pressing nature of the question of city government are to be found among the younger men, who cannot enter upon a public career without some assurance of compensation for abandoning, in whole or in part, the professions or business in which they are seeking to establish themselves. Yet among these younger men, schooled in the newest political ideas, free from the party shackles which restrain most of their older fellow-citizens, we must look for the leaders in the great struggle for our cities upon which we are about entering. More than this, as one result of the misgovernment of our cities a certain stigma attaches to the office of alderman or member of the Common Council. Most honorable men, however public-spirited, must see some consideration which shall directly offset this before they will consider seriously the taking of an office which has ceased to bring honor to those who hold it. For these reasons we may conclude that, under present conditions, our municipal legislators must be paid, and well paid if we are to secure the services of men worthy to bear any considerable part in working out the destinies of our municipalities. Under other conditions it might be unnecessary, or even undesirable, to pay such salaries. I speak of the condition which now prevails.

The objection made to the payment of considerable salaries

is familiar, and, as generally stated, seems to rest upon experience. This objection is that the common experience of our cities has been that members of the local legislature are in office chiefly for the purpose of making money, honestly or dishonestly, and that the temptation of large salaries would make them only the more eager to serve in the local legislature. The weakness of this argument lies in the fact that our municipal legislators are about as bad as they can be. The temptation presented by our treatment of municipal franchises, for one thing, is so great that the addition of a few thousand dollars a year in salary would not create any appreciable difference. The inducements are now sufficiently strong to attract the men whose characters and consciences make them most ready to profit at the expense of the community. It is said sometimes that to say that we must pay salaries in order to secure the services of the most patriotic citizens is an acknowledgment too humiliating to be made, and that if it is true our case is hopeless. This seems to me to be a somewhat fanciful view. We must deal with facts. The facts are that we want our best men in our municipal legislatures, no matter how insignificant the part played by those bodies may be at the moment; that men whose services would be of the highest value cannot act as members of such legislatures under present conditions without liberal compensation; and that such compensation would open the way to many of our best citizens, who would welcome an opportunity to serve their communities, but to whom the opportunity cannot come unless the office presents itself as a means of livelihood.

## THE NECESSITY FOR EXCLUDING POLITICS FROM MUNICIPAL BUSINESS.

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I have no qualification for speaking in a general way on the question that has been submitted to me. I may say that I have never given much thought or study to the question of municipal government. I have never been connected in any way with municipal government, except as regards the execution of public work, and in that until recently only as an advising officer. The way, and the only way, in which I may be able to add something to the interest of this meeting will be to give, in a narrative form, a rapid sketch of my connection with the Department of Street Cleaning in New York City.

I had long been interested in the visible work of municipalities, and my professional occupation had given me certain facilities for observation. About five years ago, through a member of the National Democratic Committee living in Newport, I was appealed to by somebody in New York—who it was I do not know—to know whether or not I would take charge of the Department of Street Cleaning. I said, "Yes, I will do so very gladly, if I can have my own way."

The question came back, "What does he mean by having his own way?"

I said, "I mean that I am to have absolute control of the force without the interference of politicians."

That closed the incident. My interest in the matter, however, continued, and I thought that I saw a chance for making a reputation in connection with that work. I felt

that if I ever had an opportunity to try my hand at it I should offer my services.

I met a friend of Mayor Strong at lunch in the autumn of 1894, and sent word to him that if he was looking for a commissioner of street cleaning I was at his service. He called me to New York and offered me the position. I told him that I would accept it on precisely the same conditions that I had indicated before, that I should have my own way.

He said, "The law gives you your own way pretty well."

"That is true," I said; "I do not mean that. I mean you and your friends. If you will not interfere with me in any way until you are ready to remove me I will take the place."

After a discussion of a pretty long evening I was satisfied that he meant exactly what he said when he told me I should have my own way; and I must say for him that from that day to this he has never attempted to exert the least influence over me in the matter of appointments. He has sometimes referred, without recommendation, appeals that have been made to him by prominent Republicans, good government clubs, etc.; but, so far as I can recall, he has from the first made but two requests for appointment, and neither of those had any relation to politics.

In December I was selected for the office, and it was arranged that Mr. Andrews, my predecessor, should hold his position until the 15th of January, and that I should serve as his apprentice during that time, giving me an opportunity to "get the hang of the school-house." I spent those two weeks in looking over the situation.

I had heard that the department was in a very bad way; that the men were very inefficient; that the plant was inadequate and in very bad order; and that something else than the cleaning of streets must have been the principal object to which the energies of the department had been devoted. My examination fully confirmed that impression. Physically the men were apparently well enough, but the effect of the exercise of

their energies on the streets was bad enough. The stables were not in good condition. Foremen and others, who were in a position where they could exercise some influence, had a tendency to wear diamond studs that was suggestive.

While I was with Mr. Andrews I was introduced to a great many men who had more or less to do with the outside work of the department, the hiring of horses when the department stock was insufficient, the towing of scows to sea and various things of that kind. I think I never met in so short a time so complacent and agreeable gentlemen as they were.

On the 15th of January when I went to take possession of my office I found a floral tribute about four feet high, in the form of an anchor, with a large "Hope" written over the face of it. It is hardly necessary to say that the hope was disappointed, and that that anchor was connected with another cable.

It was not only the Tammany men, the old stagers, who were friendly to me, and who were ready to render me every service and assistance, but I had quite as much aid and encouragement of the same sort from their Republican brethren. I soon learned that, so far as the interests of people who have to do with such work are concerned, it is impossible, without a label, to distinguish between a Democrat and a Republican. I am satisfied that the career of any new officer in a city like New York, one who is unacquainted with the conditions he has to meet, must be curious. I think that mine was specially so. I found that my suggestion that no political appointments would be made and that no political removals would be made was received as so much utter nonsense. I think it was then that they began to say that I was from Rhode Island and did not know what New York City really was.

The legislature adjourned on Friday nights. It seemed to me that it only adjourned to meet at the Department of Street Cleaning on Saturday mornings. Every member of it seemed to be on hand wanting to get something for himself or a friend. In a few days I caused it to be understood that I would not receive politicians, and would not receive applica-

tions for appointment, for I did not need men. I had enough, and I proposed to have nobody thrust upon me. This idea penetrated very slowly into the minds of these people in New York who were accustomed to dealing in that sort of thing, but when it did penetrate they made up their minds that they would see whether or not that thing would be allowed to work.

The first attack was made through the Knights of Labor, who had an organization in the stables of the department; they gave it to be understood very clearly that they meant that at any rate the stables should be run in their way or there would be a strike. They were not in a very strong position, for it was possible for me to remove any one of them. So they called in the aid of the Central Labor Union, and the result was that in two or three weeks we had a first-class row from one end of the city to the other, and the poor mayor received the brunt of the blow. I kept my door locked and would not let them in. The mayor, however, kept his office open, and it was crowded at first by representatives of the labor organizations, and then, in the fear that that might succeed, the respectable elements of the town poured in to counteract their effort, and his last state was simply very much worse than his first. After that the Cigar-makers' Union, numbering ten thousand, passed a resolution, which I believe they carried out for a few days, that each member should every day send a postal card to the mayor demanding my removal.

Another very serious cause of objection and occasion for the use of "influence" was found in connection with the removal of trucks. There had been, by the estimate of the Board of Health, over sixty thousand unharnessed vehicles regularly stabled in the streets over night and on Sunday, and many of them at all times. Frequent efforts had been made in years past to enforce the law requiring the removal of these; but truckmen are politically active and their organization is powerful. We undertook this work at an early day and carried it through so that there are now practically no unharnessed vehicles to be found in the streets of New York. This removal was not ac-



complished without much hard work, a good deal of struggle and some actual fighting. It arrayed against the department not only the Truckmen's Association, but the poor-man-who-has-a-right-to-make-a-living element, reinforced by the men who wanted the votes of this element; so that in this matter also we had arrayed the active opposition of politicians of all parties.

When the futility of these efforts to break me down had been shown these people began to look about in another direction. In a private conversation in another office I had made a remark about the Grand Army of the Republic, which I believe was regarded as not being altogether complimentary. A person who took part in the conversation gave to one of the newspapers a very erroneous report of what I had said. It became necessary for me to say exactly what I did say, and that gave the politicians—on the Republican side, certainly, and I think it was availed of on the other side—an occasion to attempt to demonstrate to the mayor of the city of New York that he had no right to give an office, with a comfortable salary, to a man who had reviled the defenders of his country. They brought in all of the Republican influence that could be got together, so that the mayor told me he had received one hundred and sixty-one sets of resolutions passed by Grand Army Posts all over the United States demanding my removal. The mayor was mortal, and I must say he showed signs of weakening—signs that gave me a good deal of uneasiness and anxiety. Having undertaken this work I did not want to be sent back to Newport until I had finished it. My anxiety, fortunately, was felt by pretty nearly the whole of the better class of people in New York, and not only by them, but by great numbers of the poorest people, inhabitants of the tenement-house region, whose lives had been made a little more comfortable by reason of the work the department had done.

Matters finally came to such a point that my own men were very much alarmed. They were afraid they were going to lose their places and that the whole thing would go to pieces. My reply was always, "Clean the streets; that is your only chance;

our only chance is the support of the people who want the streets clean ; if they are kept clean they will take care of us." One after another they came to see me, and, finally, the superintendent, an old Tammany captain, who had been in the department for many years, said to me : " Commissioner, I don't want to see you fail, but I have been talking and listening around town, and something has got to be done ; some concession has got to be made or you will be turned down." I said : " Clean the streets, make them shine ; that is your only chance. Put on one hundred and fifty more men."

He said : " The appropriation won't stand it."

" Hang the appropriation. Get the streets cleaned first, and we will see about that afterwards."

It was done, and it was done successfully, and that practically ended our troubles, except so far as they came from the Tammany organization, which was fighting the whole reform movement. That organization had an able, eloquent and very effective representative on the Board of Estimates and Apportionments, which is the governing body of the city, under the mayor, in the person of the comptroller, Mr. Fitch. He held me up in the board for a very long time, and life was not altogether agreeable for either of us for some months. But, finally, apparently due to the fact that the work that we were appointed to do was done and that the streets were clean, and partly because they got tired of fighting and did not see where they would land, they, or his better nature, called Mr. Fitch off.

From that time until now our course has been on an easy down grade. Mr. Fitch, who was my enemy at every point, is now my best friend, and he misses no opportunity to tell me how glad he will be to pass any bill that I send to him in which I have any sort of interest. The people who were determined that I should be turned out because they could not get offices from me, and who used to revile me to others, and who used to turn a cold shoulder to me, are now certainly—whether they are friends or not—very cordial, and seem to be very well satisfied. And I had the crowning satisfaction a little while ago of having

a direct message, said to be from one of the big four of Tammany Hall, to the effect that I need not trouble myself about the next election; that if they came in they had made up their minds they would keep me. Of course, I accepted this as a sort of pandering to the better element, and am not open to too much influence from that side. At the same time I have frequent gratifying compliments from Democrats who ever regarded me as their natural enemy.

The only reason why it has been possible to do what we have done is because we have had nothing whatever to do with politics on the one side or the other. When I took charge of the department it had about thirteen hundred sweepers, about seven hundred and fifty drivers, and, perhaps, one hundred men in other capacities, besides the superintending force. They were as nearly an utterly worthless crowd as you could find anywhere. They had had three duties to perform; they had been appointed for those duties, and in the performance of two of those duties they had been diligent enough. The first duty was to make contributions regularly every week of a certain percentage of their pay to the agents of Tammany Hall; the second duty was to obey all the orders of the men who had given them their places; and the third duty was to sweep the streets. They very soon found out that so long as they took care of duty number one and duty number two they could take their own way about duty number three, but that if they did not take care of number one and number two they would be dismissed for failure under number three. Some of the men had expected to be turned out of their places because the reform movement had been directed against the organization that put them there, but I gave it to be understood throughout the force that thenceforth no political influence of any kind, no personal influence of any sort, could help or harm any man. The suggestion was at first received with an air of incredulity, but little by little the men came to believe it. They saw that they could keep their places, or lose them, solely by the way they did their work. They had been like a man swimming with

a life preserver; not knowing how to swim, the strings had been cut, the life preserver was gone, they had to tread water or sink. And they did tread water with great vigor and power, and have kept it up ever since. We have now altogether about twenty-five hundred men, but of the two thousand or twenty-one hundred men appointed by Tammany influence, about fifteen hundred still remain, and I must say that, having had some experience with military forces and other working forces in the course of my life, I have never seen anywhere a body of men who were better workers or a body of soldiers who were better disciplined. Every man in the department is interested in his work, and seems to be proud of his position.

The papers have had a good deal to say about us, and that gives these men a feeling of great importance and consequence, and I think any one who will go about the streets of New York and see the manner in which the work is done from early morning until sometimes seven or eight o'clock in the evening will see that those men are a very good illustration of the fact that in the city of New York the work is now carried on as a business, that it can be made successful, and can equal any private work.

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A CHRISTIAN CITIZENSHIP UNION.

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ALBERT G. LAWSON, D. D., CAMDEN, N. J.

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The Christian Citizenship Union of Camden, N. J., organized in February, 1895, represents all the societies of young people—Baptist Union, Christian Endeavor and Epworth League—connected with our churches. It includes both men and women, and among its members are nearly two thousand voters.

Its declared objects are : " To have its members and all citizens to emphasize the importance of their municipal obligations ; to acquaint them with existing conditions and with the machinery of municipal government ; to show how our city affairs are neglected, and how they may be efficiently administered ; to repress in every way possible what tends to injure the city, and to foster what may increase its prosperity."

It proposes " to secure these objects by the use of full data concerning our municipal conditions ; by the hearty support of officials who discharge their duties faithfully, and by the vigorous prosecution of those who neglect them ; by legal proceedings ; by legislation ; and by any or all other means tending to create a public sentiment in favor of the principles and plans of the Union."

It has both active and associate members, an executive committee of fifteen, a ward leader, a precinct captain and an associate for every square in the city, and holds its annual meeting on February 22d.

We join with good government clubs and other organizations in demanding an absolute divorce between national and municipal questions ; fitness and merit in all public officials ; and an honest administration of every office for the benefit of the whole people, and that, too, upon a sound basis. We do

not nominate a ticket ; we do, however, heartily commend the worthy, and quite as heartily condemn the unworthy, among all the candidates.

The Christian Citizenship Union is in the highest sense educational. It emphasizes the strength of union, and that at the most impressive period of the life. Citizenship itself is not an unmixed good. As every new discovery of science brings in a new peril, so every new method of administration in government has its shadow in a possible new method of fraud. New methods of civic reform are no exception to the rule. Where there's a will there's a way, and the wicked will soon find a way to do wickedly.

Citizenship of itself, untrained and unprincipled, is a marketable commodity. We have been forced to witness in our country the almost open sale, not only of ballots and of voters, but of laws and of legislatures. To cut out such a cancer once will not suffice ; the body politic must be enforced by new blood. Our citizenship must have new constituents and there must be ever and again the renewing of the old truths and principles.

Our Union stands for the best principles of government, and has a large class of young people as its helpers who are growing up into conditions of influence. We hope to have these steadily trained into intelligent, self-reliant action. We aim to capture " the citizenship of to-morrow," for we believe that starting the voters right is half the battle. We aim to train these young people by precept and example in ideas of purer politics so that, being rooted and grounded in the principles of good government, they may grow up into the full stature of open-eyed, fearless-hearted, truth-loving patriots.

It is truth that sets men free, and that truth we must begin to teach to the young. We, therefore, aim to circulate literature, to hold public meetings, to use the press whenever possible, and in every honorable way to stimulate the discussion of questions of civil interest. Debates are encouraged, and in many other ways the consideration of matters which affect the welfare of the city is secured.

Christian citizenship puts a premium on individuality.

It aims to have each member in his civic duties fired with a purpose as pure as it is patriotic, strengthened by an inquiry as intelligent as it is independent into the relation he sustains to the government of the city, and to the conditions which require his personal action. No tract is so effective as a tract in boots, hence we aim not only for the vote, but for the voter and by the voter. Mind sharpens mind. We aim to exalt the personal obligation of the individual as accountable for his relationship to civic affairs. We teach that he is bound to put his full moral weight into his least public service.

Citizenship is a stewardship. As binding as the law of gravitation on matter is the moral law that every steward shall be found faithful. To emphasize such individuality and such stewardship is to exalt the ballot. Such voters could never be "mere chattels of the chief of a political banditti organized to win place and spoils." Some who were mere pawns for ambitious men to play in the game of politics for plunder have been emancipated and become in their own right sovereign citizens.

As its name suggests Christian citizenship is exalted, that is civic duty in the light of Christian patriotism. Our members are mainly those connected with our churches, not that we would prevent others, but that we would emphasize the importance of church and Christian patriotism in the profound belief that every true Christian must be a true patriot.

The fathers of our nation at the very beginning planted the church and the school, and that, too, side by side, because they believed that character, founded upon education and Christianity, was the necessary condition of a permanent government. We would emphasize the fact that every Christian because he is a Christian must be a patriot. He, of all others, must keep the words of our Lord, not only to discriminate between the things which belong to Cæsar and those which belong to God, but rightly dividing his inheritance to "render" to Cæsar and to God the things which belong to each. He must be mindful of himself that his example shall not give the lie to his utterance

or convict him of criminal ignorance. Hence, in the working of our Union we look to ministers of the gospel, to officers of our churches and to Christian workers generally for the fellowship of effort required. Naturally, our leaders have drawn the heaviest fire of the bread-and-butter brigade.

We search every measure for its underlying relationship to virtue and religion and set this before the community. We believe that every civic problem, fully understood, has at root a moral question. Facts and truths, rightly interpreted, are never irreligious. They may be manipulated, however, against virtue and religion just as great knowledge may be wielded by great wickedness. History is witness that commerce and the sciences, literature and the arts, may be utterly indifferent to moral good or evil. Civilization itself, unless the men who direct its forces are virtuous, may wholly destroy truth and righteousness.

Christian citizenship aims not to secure, but to protest against religious favor, sectarian and divisive in its fruits for any portion of the community. It demands of the authorities that they enforce legislation not upon a religious basis; that is, not for or because of some religion, but because of common humanity. For instance, the right to peace and to a day of quiet, one day in seven, must be enforced on the ground of humanity against the greed that for gain would turn the rest-day into revenue. Religious observance by law as alien to true democracy as it is to true Christianity it denounces unsparingly.

To apply Christian principles to civil questions is to lift higher certain claims and to plant deeper certain foundations. It is right to say, "Business methods must be enforced by public officials in their conduct of civic affairs." But is this all that ought to be said? We think not. To demand economy and efficiency because it is the best policy is not enough. We demand these because they are intrinsically right, and hence are bound to prove commercially and nationally right. The golden rule has a place here also, the official being the party of the first part and the city, viewed as one individual, being the party of the second part. The true standard is not the best political



or even the best business methods, for these are not always above reproach, but the best morality. Godliness is profitable for citizenship here as well as for the citizenship which is in heaven. We must appeal to motives and to principles above the merely successful or honorable. We must establish reverence for the fundamental ideas and laws of human welfare.

Men there are a plenty whose ambitions frame their creeds and whose appetites rule their consciences. Such are ever ready for unholy alliances in church or State. Christian patriotism will destroy their loose cry, "My country, right or wrong." The prophets of Israel were never truer patriots than when, in their righteous indignation, they were saying: "Woe unto you, Jerusalem; woe unto you, kings and princes." But it is not enough to down the unholy. To the places they have dishonored we must exalt men who have the intelligence to know and the virtue to do the truth.

Virtue, upspringing from clean hearts, is to be preferred in civic matters, yet we may be compelled not only to use props, but to be thankful for many who are kept from falling through the sheer force of public opinion and of legal constraint. Who is self-poised by active vital forces is in the best sense a freeman, but better than nothing is it to be kept upright by canes and crutches, or even by painful bands and ligatures. "It is better to be stirred by right motives than by material springs and pulleys which last would reduce us to a sort of Punch and Judy automata of virtue." Who is self-moved toward pure politics must be preferred, but even he should be welcomed who, for the time at least that the searchlight of public scrutiny burns upon him, is aglow with zeal for good works.

Christian patriotism speaks louder of things to be done than of things to enjoy, of duties than of rights and of obligations than of opportunities. It teaches serving not shirking, and strives to spell "self" without capitals. It urges the duty of to-day in the light of eternity. Christian citizenship (to change slightly the language of Dr. Parkhurst) "lifts the chariot wheels out of the muddy ruts of street honesty for mere policy's sake

to set them down hard upon the pavement of the mind and will of God."

The Union limits itself to the city in its workings because it deems the city interests to be of chief concern. The relation of the general government to the States is well defined; powers, privileges and limitations, lines of independence and of interdependence are clearly marked. Not so clear are the powers of municipalities and their place in our economy of government. Our cities are being governed in the main from the State capitol and with a view to use them for the basest purposes. Legislation is deliberately entered upon to rob them of their rights and to deliver them over bodily as a prey to their plunderers. Think of \$700,000 distributed to officials in one city that over \$4,000,000 of franchises may be stolen from the people. But this in form is an almost daily occurrence in some part of our land. It is an open secret that in every city there is a corrupt vote which awaits bids from the different campaign managers. This vote is known to run up into the scores of thousands in some cities. Within a month a certain man has confessed to having voted on one day in his own city of Philadelphia eighteen times. Committee men for city control have openly traded the highest names upon their tickets; governors and presidential electors even have thus been bartered away. In this is witnessed the full fruit of dealing lightly with city affairs.

Because of these and of other considerations, we believe it is of the first importance to secure good municipal government. It will pay better than an equal amount of effort for good State or national government. It is of greater moment to a child to live in a good home than it is to live in a city with a good reputation. The highest degree of patriotic citizenship is that which relates to the immediate locality in which we live. Light and shade lie side by side, and the highest patriotism is just beside the best self-interest.

Practical politicians, it is said, mock at any such notions, but what has been derided as Sunday-school politics and bowed out of the primary and the convention will not stay out. Some-

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times because the right will always claim a hearing, sometimes from within because the wrongs suffered can no longer be borne, there will always be a knocking at the door for admission. That so-called "iridescent dream" will be found to have incarnated itself in individuals by the thousand and the hundred thousand as the tide rises. What it is right to think it is right to speak and to print and to do in the interest of the nation.

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## BANQUET SPEECHES.

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*Hotel Rennert, May 7, 1896, at 7.30 P. M.*

Charles J. Bonaparte, Esq., presiding.

MR. BONAPARTE: The greatest soldier of the last half of this century was described as a man who knew how to be silent in seven languages. (Laughter). I don't know whether that extent of linguistic requirement is necessary, but the other part of this description would, I think, be highly appropriate to the model presiding officer at a banquet of this character. (Laughter). His most valuable quality is to know when to stop talking. (Laughter). Probably I shall have the opportunity of exhibiting a very modest approach towards perfection in that respect later in the evening. (Laughter and applause). For the moment I have the rather harder task before me of saying something that will not be wholly unworthy of what will follow from others.

First of all, however, I am requested by the more interesting and, of course, the more important part of the guests present to say to those less interesting (laughter), at least to all except themselves (laughter), that it is the desire of the ladies that the gentlemen present should not hesitate to smoke (laughter) or commit any of the atrocities that may be customary on these occasions. (Laughter and applause).

I deliver this message merely because I am myself a man subject to authority (laughter), and know from experience how to adapt myself to the duty of obedience, and I do it the more reluctantly (laughter) because, as smoking is one of the few vices from which I am free (laughter), I am very severe in my condemnation of it in others. (Laughter).

Passing to the business of the evening—we are here, not precisely at the close, but towards the close of the Fourth Annual Conference for Good City Government, a Conference which, resembling in this respect its three predecessors, has resolved itself, in no small measure, into an experience meeting as to bad city government. (Laughter and applause).

I have reason to believe that Baltimore is, in some degree, indebted for the honor of entertaining the League to the supposition, perhaps well founded when it was entertained, which was a long time ago (laughter), I think in December or January, that here the members of the National League would find jubilant reformers, and an atmosphere inspiring hope to those contemplating the improvement of their own city government. (Laughter and applause). That was before many things had happened.

(Laughter). It was before our new legislature had met and adjourned. (Laughter). It was before our new City Council had met and decided not to adjourn. (Laughter and applause). It was before the appointments to our State offices had been made. It was before the appointments to our city offices had been blocked. (Laughter). It was before, very decidedly before, our tax rate was fixed, or at least announced. (Laughter and applause). Whether, if all these things had happened before, Baltimore would have been selected as the place of meeting must necessarily be a matter of speculation. I fear it would not have been selected for the same reason. But, perhaps, there was the greater cause for coming here if, instead of having encouragement to get rid of because it was superfluous, we were in the more need of sympathy.

The problem of good city government has not been solved in Baltimore as a result of the late election. Personally, I must admit, that I have always thought this problem a very simple one, and that its difficulty lay largely in its simplicity. There was a very worthy clergyman here many years ago, of whom it was said, with what justice I am not called upon to express an opinion, that the substance of his sermons amounted to repeating, with varying degrees of prolixity, O, brethren, be good. (Laughter). This might have been better said, but could this excellent man have possibly have found anything better to say? (Laughter and applause). It seems to me that the work of the National Municipal League will be completed when the citizens of all the great cities of this country have become such men as not to need this admonition. (Laughter and applause). If we have bad city government, to my mind it is not because the government is organized in one way or another, but it is because we have not good citizens, or at least citizens good enough to make sure that their government would be what good citizens would procure for their cities. (Applause).

Now, the reverend gentlemen I have mentioned I fancy found that there was as good reason, so far as he could see, for saying what he had the habit of saying so often at the end of his long and useful life as there was at the beginning. (Laughter). I do not wish to discourage any one present who is young enough to be hopeful (laughter), but I fear much that this League will have passed considerably beyond its first youth, and that no small number of its members will have passed beyond earthly existence altogether, before its work has reached the stage which I have indicated as its goal.

I venture, therefore, in the little time that I shall further detain you from what you are waiting to hear, simply to point out one phase of the process by which we are endeavoring to secure better government by en-

deavoring to make ourselves worthy of better government. It has been the custom of all men who have endeavored to raise the moral tone of the communities in which they live to organize themselves into brotherhoods, or something equivalent to that term—perhaps I ought, under existing circumstances, to say brother and sisterhoods (laughter and applause)—with a view to at once making their own labors more effective and to making the end of their labors more definite and practical.

The idea is not original with me, but I believe it has not been patented that the Hebrew prophets were the first reformers. I do not venture to speak with too much confidence of the organization of the reforming brotherhoods of their days, but I believe it is tolerably well known that in the Middle Ages when grave abuses had crept into the State, and especially into the Church, which then discharged a great many of the functions now imposed upon the State, those who were most impressed with the enormity of the evils and the necessity of remedy, formed themselves, from time to time, into new religious orders with the idea, and, after a time at least, to a considerable extent, with the result of improving by their example, exhortation and personal influence the conditions against which their consciences had risen in rebellion.

It appears to me that the Municipal League is, in some measure, an order of this kind. It is not exactly an order of mendicant friars (laughter), although its committee of arrangements sometimes has some of the customs of those orders. (Laughter). It does not, indeed, practice the virtues implied in the vows of those orders or all of them—voluntary poverty, at least, is not altogether advisable on the part of reformers of this day (laughter)—certainly not while subscription lists continue to circulate as they sometimes do (laughter); but we are, as they were, men and women who are striving to make ourselves feel, and others feel as we do, the gravity of existing evils, the imperative necessity of a prompt and adequate remedy for those evils; and the no less imperative obligation upon all those, recognizing their own relations as members of the community, to aid in bringing about the remedy and in applying the remedy, the necessity of which we recognize and feel.

Now, there are one or two practical consequences which I venture to press upon your attention, as the disagreeable part of my remarks, and the only disagreeable part which you need apprehend in the remarks that you will hear this evening.

In the first place, it was a cardinal principle of all the successful religious orders—in fact, it is the vital principle of all successful, effective agitation to any end, that this agitation should be conducted in an orderly manner and with a strict discipline. Every one of the orders to which I

refer had its boss. (Laughter). Every one of them insisted upon absolute, unqualified, unquestioning obedience to his orders; and if there developed itself when they had accomplished some results, at least temporarily encouraging, that form of acute adult hydrocephalus, which is said to make terrible ravages (laughter) among reformers after a successful campaign (laughter) measures were taken to cure it, which were no less prompt, decisive and effective than if they had been aided with all the resources of the medical science of to-day.

At the same time there was another principle observed, which, I fear, the successors of these apostles of righteousness sometimes overlook, and that is that as soon as their bosses began to be on the wane, as soon as their effectiveness as leaders—and let me say that whether a man is called a prior, or a general, or a president, or a chairman, or a secretary of council, if he discharges the functions of the man who directs the work and lays out the line which others shall follow, he is, for the purposes of my speech, and for no others, a boss (laughter); as soon as it was found that the shelf was the proper place for them, they were respectfully and tenderly, but decisively, laid on the shelf. (Laughter and applause).

Now, I venture to recommend, and I speak as one who has filled in a very humble degree and with very moderate results, the position which I have thus described (laughter and applause)—I venture to recommend the strict observance of those two rules of conduct to all the reformers who are seeking in the cities of this country, and even in the wider fields to which the labors of this League must almost inevitably lead any one in promoting good government amongst us—to observe carefully the rule of not interfering with their bosses while they are worthy to boss, but to fill their places the moment that they are no longer able to lead.

I have now said, ladies and gentlemen, all the unpleasant things that I can think of, or, at all events, that I feel called upon to say, and I will ask the President of the National Municipal League, my friend, Mr. Carter, to correct the unfavorable impression I have left. (Laughter and applause).

MR. JAMES C. CARTER: *Mr. Chairman and Ladies and Gentlemen:* I shall be a very poor hand to correct the unfavorable impressions which my friend, Mr. Bonaparte, may make upon any audience. I feel, however, that the National Municipal League may very much congratulate itself upon this very brilliant banquet; I think I may safely, and without flattery, say the finest banquet that the League has witnessed at any time since its formation. (Applause). There are many circumstances which combine to make it so. It is much larger in numbers, I think, than any; much more numerously attended than any we have had before—I think

much more ~~numerously~~ attended, it occurred to me as I came in, than our daily sessions in the hall have been. (Laughter and applause). Whether this is possibly for the reason that the fare over here is more preferable than that which was extended to them over there I cannot say. (Laughter and applause). Then, too, this banquet has an incident which, so far as I am aware of, is peculiar to this one of the National Municipal League—the presence of the fair here. (Applause). We had them at our last banquet at the city of Cleveland, but then they were all arrayed by themselves like a company of Quaker women. To-night, I am rejoiced to perceive, that they come, as they should do, and sit by our sides (laughter)—at least by your sides (laughter and applause)—a partiality which I must not eulogize, for none sit at this table. (Laughter and applause). They come and sit at our sides, too, I observe, unterrified and unmoved by the recollection which possibly some of them have of the sudden extinction of all the lights which met us at the banquet at Cleveland. (Laughter and applause).

Passing from the banquet to our regular sessions, I must express my grateful appreciation of what I conceive to be their excellence this year. I have always received a great deal of instruction from them and no little amusement. (Laughter and applause). I think we had a good deal of the latter quality this afternoon in the accounts given of the municipal condition, by our friends from the South, of the cities of the South. Nothing could be more ludicrous than the pictures they presented to us of the municipal government in Memphis, in Nashville, and in certain places in the State of Georgia.

I thought for a moment that possibly the speakers had imagined that they were to deliver those addresses at some banquet where fun and merriment were the principal objects (laughter), for they were excellently calculated to arouse those emotions. But then this further thought occurred to me, and occurred to me for the first time, and that is how curious it is that we should laugh ourselves almost to pieces over the absurdity which municipal government in various places exhibits. We seem to contemplate the occupants of official places, very often the men who we are in the habit of calling spoilsmen, the men whom we look upon as political heelers, trading politicians and men of that sort as if they were beings from a different sphere, having no connection with ourselves, as if they were plagues sent upon us by another power—like the plague of locusts in Egypt—and yet what are they after all? They are not these; they are our own flesh and blood; they are, in short, ourselves. And I have thought that if the evil one himself had come down he would have burst with laughter to have seen it, and would have said: "Why here are these fellows making merry."



splitting themselves with merriment over themselves." (Laughter). And yet this is really so; and that calls to my mind a maxim, for which I am indebted to my good friend who now presides over this table, Mr. Bonaparte.

He has had a fashion of always impressing this thing upon others, upon those with whom he comes in contact, in reference to civil service reform; and that maxim is the one he has repeated in substance to-night that we have just as good government, just as good municipal government as we deserve. (Applause). How true all that is. The government of a municipality—a municipality itself—may be personified or dealt with just as an individual. It has its virtues and it has its vices, and as these exhibit themselves they actually and correctly represent the constitution of the materials of which it is made. You never can get out of it; you never can get rid of it, and you never can do anything with it satisfactorily except by reforming it, and in reforming it you have only to reform yourselves. You never must look upon it as a different thing. You must never look upon it as a plague sent upon you from abroad; they are your own vices and our own vices. We, all of us, every individual at this table, has alive in his own bosom a secret and sleeping boss which it only needs the requisite amount of temptation, the absence of self-discipline, to call into mischievous activity. (Applause). It sometimes reminds me of that incomprehensible little poem which Emerson once wrote under some inspiration drawn from some oriental mysticism, that poem which begins, "If the red slayer thinks he slays," in some part of which he says:

"They reckon ill who leave me out,  
When me they fly; I am the wings, I am the doubter and the doubt."

Shakespeare repeats the same idea in one of his plays. He says:

"The fault, dear Brutus, lies not in our stars,  
But in ourselves that we are underlings."

Therefore, the first thing to do if we want better municipal government, improved municipal government, is to improve ourselves; to lift all our own standards of excellence higher and to do our own duties better. When we do this, why we shall better prosper. (Applause). This shows the eternal and everlasting inefficiency of laws and the equally everlasting inefficiency of men to accomplish a great work like that which we are seeking to do. (Applause).

How well that was illustrated this afternoon in many things that we heard. We heard accounts from the city of Nashville and from the city of Memphis in respect to their city governments, and during our sessions we

have heard accounts from many other places in which the writers criticise the charters of the municipalities which were in force, and said the trouble is our charter requires this and that which ought to be amended and done away with; in our municipal government, it is said, there ought to be requirements in the laws by which they are governed, for this thing, that thing and the other thing; or the trouble with our city charter is this. Another gentleman speaks of the state of things in Atlanta, Ga. There is an excellent city government there according to his account, and I do not doubt it is a correct one. Everything, he says, is in pretty good order, excellent order. The taxes are light, the public service is well performed, the schools are good, the streets are clean, the police performs its duty and the whole machinery of municipal government appears to be moving with an excellent degree of efficiency. He attributed, in a large part, the virtue of that, the cause of that success, to the excellent charter that they had; and yet I could not but observe that that same excellent charter was exactly the same thing in all its substantial provisions as these others are, which have been condemned by the other speakers as being the source of their evils. (Laughter).

It is not in laws, ladies and gentlemen, that your salvation is to be found. Not at all. Whatever the laws may be, if you will only take the trouble, employ the resolution and exhibit the constancy, which I am sure has been exhibited in the good city of Atlanta, and put good men in office, you will find that you have got most excellent charters. (Applause).

Now, I am not going to speak any longer. The hour does not admit of long speeches here, and I had a good long hour assigned to me last evening to deliver all my commonplaces, and I am sure you got an abundance of them then. (Laughter). What I have said just now is from the text which my friend, Mr. Bonaparte, has frequently laid down for us; and this is the important point which I wish to leave with you, if you are willing to take anything from me, and that is, to remember that we shall always enjoy just about as good city government as we deserve, and we may enjoy the best city government that we want to have if we only choose to make the requisite effort for it. (Great applause).

THE TOASTMASTER: *Ladies and Gentlemen*: The brotherhood that I have described has a natural enemy, and that enemy is the public officer. Reformers who are satisfied with the government under which they live would be very poor kind of reformers. As soon as you find them stopping their criticism and fault-finding and adopting the tone of apologists, there is a suspicion that they have given up the diet of locusts and wild honey and are preparing themselves for another kind of diet at the governmental table. (Laughter). Therefore, it is a little less than phenomenal; it would

be remarkable anywhere, and I do not think the language I have just used is exaggerated in Baltimore when I find, on looking around, the Mayor of the city next to me at a banquet of this organization. (Laughter and applause). He asked me if some way could not be found by which he could get rid of making a speech. I had no difficulty in answering that question in the negative. (Applause). But I have been endeavoring since then to think of the subject on which I would ask him to say to us what he had to say. The only subject that occurred to me was—"What I Think of City Councils." (Laughter and applause). But inasmuch as that is a topic specially assigned for to-morrow morning's session of the Conference, and as no one might care to attend that session if they had already heard all they wished to hear, as they probably would (laughter) of the topic with which it has to deal, I have determined that I would leave the selection of his topic to the Mayor himself, confident that in that respect, as in all others, his selection would be a wise one. (Applause).

As Hon. Alcaeus Hooper arose to respond some one said: "Stand on a chair."

MR. HOOPER: There appears to be a strange fatality about some words; I don't know why it is, but that remark always follows me wherever I go. (Laughter). It reminds me of the campaign. (Laughter). It was everywhere called out at me, and my reply was, that I was not to be elected to stand in a chair, but to try to fill one. (Laughter and applause). I have been trying to fill one for five months and with very little satisfaction—to some people. (Laughter and applause).

In asking your toastmaster to-night if he could not by some possible means excuse me from speaking, owing to the fact that I did not feel in physical condition to do so, there was another reason that prompted me to make the request, which was, judging from the speeches that I have heard and from the papers that I have read, emanating from the members of this society, I must confess to you that there is very little more to be said on the subject of good municipal government.

Our friend, the toastmaster, to-night has compared the civil service reformers, the members of reform leagues and good government clubs to religious orders. I presume it would be proper to say that they are missionaries. These municipal leagues and good government clubs to be found in all parts of our country are no doubt bands of missionaries to the American people to show them a more excellent way towards a higher political civilization. As missionaries of spiritual and ethical religions find it necessary to have a short and clear statement of their essential doctrines so as to preach frequently from this standard sermons in order to convince the savages or less spiritually-minded people to whom they go of the es-

sential necessity of the adoption of their doctrines, I would suggest to the reform leagues of this country that they select a text which, I think, will appeal to the practical people of the United States in these words: "Why will ye spend your money for that which is not bread?" (Laughter and applause).

The course of the missionaries of the higher cult will be marked by the same phases as meet you missionaries to the benighted Americans. In many places you will be received; your doctrines will become fashionable; your theories will be accepted; they will soon become obliterated, and even the memory of your preaching will have passed away. Other places you will soon leave disgusted, and will shake off from your feet the very dust of the people whom you attempted to benefit. And yet, I will say to those of our friends who are discouraged at the progress of reform, as seen in some of the cities in which they have been making efforts, that it may be with them as the history of missionary efforts in the religious field have proven, that frequently the seed sown has simply suspended germination, and after awhile it has broken forth and germination has begun, and lo and behold, the result of the harvest is an hundredfold. This has been seen not only as far as Christianity is concerned, but in other movements, and I say to you, my good brethren of the missionary band, do not give up trying to reform us poor politicians. (Laughter and applause). You have an ample and abundant field in which to work. (Laughter). I can assure you we need all your prayers, we need all of your sermons, we need all of your self-denyings; and I say to you that after while, I sincerely believe as a good American, as I hope I am, that all these sermons which you have been preaching, all these self-denying efforts which you have been exerting, will certainly in the very near future, and I say that advisedly, I believe in the very near future, that the people of America will wake up to the fact that they are spending their money for that which is not bread, politically. I say to you that when the American people, with their practical common sense, realize that a too close adherence to party brings upon them increased taxation and a deteriorated public service, I say to you then, and at once, when they realize that they will hold their party allegiance only to the point where the party properly acts as their agent in the securing of good government. (Applause).

I hardly know what to say to-night in view of the fact that the field has been so thoroughly covered by my friends who have spoken, and, possibly, therefore, you missionaries would rather that I would give you a little experience. (Laughter and applause). I have found, as you know, that it is very often hard to put theories into practice. (Laughter). You gentlemen are looking upon the question of good government as outside ob-

servers. I feel every morning that I would like to open the windows and say: Come in, my brethren, and see how it is yourselves. (Laughter and applause). I only wish that I could provide sufficient accommodations for you in a certain office not very far from here, that you might see how a city government is run. But I will say this to you, that the theory that was advanced upon the platform during the campaign by me, not original with me, by any means, was that a municipal government was a corporation, and that its functions were similar to those of a corporation whose object was to make profits for its stockholders. I announced that theory at that time, and I will say to you, my brothers of the missionary band, that to my mind, after five months' experience, that is the true conception of municipal government. (Applause). I fail to see where the theory is at fault, and why the same methods, which are essentially necessary for the successful operation of large corporations, should not be the same methods to be pursued in chartered cities and towns. I cannot but feel that the only essential difference is that the profits in the one case result in a dividend to the stockholders in the form of cash, while in the municipal corporation an application of identically the same principles and identically the same methods for the accomplishment of the ends in view as applied to corporations will produce profits to the stockholder of the municipal corporation—that is the taxpayer—but only with this difference: in the one case it will be in the form of cash and in the other the dividends is in the form of better government, better school-houses, more efficient teachers, better pavements, better sewers, a more cleanly condition of the city, and, eventually, lower taxes. (Applause).

If that is correct, and I believe it is, and I believe that you agree with me that it is, I can see very little field in the government of cities for the operation of strictly party politics. I can see no reason why we should not bring into the government of cities the very best brains of the city, whether that be the brains of women or of men. (Applause). I am not a woman's-rights man by any means. (Laughter). I only belong to that selfish band of men who want to get all the good things we see, and if a woman's brain can give it to us I am going to seize it. (Laughter and applause).

But Mr. Carter to-night has struck the keynote. It makes very little difference what our theories are; it makes very little difference what the charters are, although, of course, if you have a city with a good charter and men who are willing to execute the laws according to the charter it will be a guide on which they can lean. Yet, I do think that if in this country you band of missionaries were to turn your attention to the accomplishment of one thing you would succeed a great deal better

than you have, and that is this: Our friends across the water in Great Britain have realized some years ago the necessity of studying the municipal problem and putting the result of their thoughts into a concrete form in the way of a uniform charter for all the towns and cities in Great Britain. I believe, therefore, if you gentlemen, after you have had an opportunity to divert your attention from the securing of honest elections, and that appears to be the necessity of the hour, if, after while, you do not become discouraged you would turn your attention to forming charters suitable for the cities of the United States so that men, elected to execute the laws according to those charters, will have the result of experience, and will not have to be constantly experimenting you will find you have helped them wonderfully.

But again. It makes very little difference if, after you have selected this charter, you do not select men and give them your support and let them feel that they are not dependent upon any organization of spoilsmen, any organization of party leaders who have brains enough to be executive officers, but have not principle enough to be patriotic. (Applause).

I think it would be wise if such charters were adopted and it was seen to that there should be flexibility in the appointment and removal of the heads of the departments from mayor down. If they do not represent the sentiment of the voters let them be frequently removed. But I do say to you, after five months' experience as mayor of this city, that I cannot help feeling that the principal cause of municipal corruption is the way in which we appoint our officers.

You will note that the same principles we find necessary for the successful operation of financial and mercantile organizations are not applied here. I do not care much what may be the requirements prior to the selection of the subordinate officers, but I do think that men, when they are selected to the subordinate positions in a city corporation, should have an indefinite term of service.

I want to call attention to one fact in Baltimore which, to my mind, is the cause of a great deal of corruption. Possibly you are not aware of it, but every man in the city of Baltimore, from the mayor down, except the fire department, is appointed for a fixed term of two years; and I can assure you if you gentlemen of leisure want some hard work, just be elected mayor at a time when the said two years expire and if you won't confess that it gives you all the work you want and is a source of tremendous evil, I will then say that I am mistaken. Just think of it. The mayor of the city is necessarily required to begin at the top of the appointive list and consider the fitness of every man of the thousand men necessary to properly officer the city. His character must be scrutinized and

his efficiency examined into and appointed in the short time succeeding his election, as the law requires, when he comes into office.

If in your business bookkeepers are necessary and are kept in service a long term of years, so that in the latter part of their service you can have the benefit of their experience to offset their lack of experience when they first came into your service, why should not the city of Baltimore and other cities have their subordinate officers elected or appointed for a term without any definite limit only so long as they remain mentally, morally and physically efficient? (Applause). Change your mayors frequently, your comptrollers, registers and chiefs of departments, but let the under servants remain so long as they are fitted to fill the bill. (Applause).

THE TOASTMASTER: *Ladies and Gentlemen*: In the last hours of its life, or at least of its manifestation of life, the General Assembly of this State proposed to the voters an amendment to the Constitution which, whatever its effects, if it shall be adopted, or whatever may be the effects of the attempt to adopt it, has already furnished occasion for no little amount of cerebral perspiration to the governing body of the Civil Service Reform Association of Maryland. (Laughter and applause). That amendment was copied with some slight differences, or some differences which may, or may not, prove to be slight, from an amendment to the Constitution of the State of New York, and which also attracted attention from a body of less importance, perhaps, than the executive committee of our Civil Service Reform Association, but still well known; I refer to the Court of Appeals of that State. (Laughter and applause).

Now, we are fortunate in having with us this evening the gentleman who introduced that amendment in the Constitutional Convention of the State of New York, and he will make some simple amends for all the trouble he has caused us here by telling us the story of its introduction. I have the pleasure of introducing Mr. Holls, of New York.

MR. FREDERICK WILLIAM HOLLS: *Mr. Chairman, Ladies and Gentlemen*: The message of the State of New York to this National Municipal League is, I fear, of a mixed character. So far as municipal experience, in the narrow view of the word, is concerned, we have indeed only to join the experience meeting of bad city governments which we had this afternoon at the Conference, with some redeeming features. There is much to discourage municipal reformers in our State as in every other of this country; but there is very little to allow or justify the slightest exhibition of pessimism. The struggle may be difficult, but in the very lines, which your chairman has just indicated, the message of the State of New York to you, and to all who are engaged in the task of lifting our political life up to a higher plane, is one of distinct encouragement. (Applause).

There was an editorial a few weeks ago in one of the New York papers, which had the suggestive title, "What We Have Gained by Accident." The principal accident which was treated in that article was the adoption of the Constitution of 1894 in the State of New York. To the nomination of an unfit candidate for the Court of Appeals as the crowning sin of an iniquitous political machine, we in New York owed an awakening which, while it lasted, was grand and glorious. I am sorry to say all of its effects do not deserve the same commendation. But one of the results was the adoption of a Constitution in which was contained the first amendment for civil service reform that was ever adopted by an American State. The task of introducing and of arguing in favor of such an amendment is a pleasure, and it is a gratifying experience to any one who believes in the principle. I need only to say that the Convention adopted it by a very narrow majority and without knowing, I am afraid, in the case of many who voted for the amendment, just how much it might possibly mean. (Laughter and applause).

In fact, the question was asked during the debate whether the amendment needed legislation or not in order to make it practically effective. The answer was given that, in the opinion of its friends, it probably required legislation. (Laughter and applause). But, at the same time, it was claimed that the amendment as drawn conferred rights upon individual citizens, and so far as it did that it would not require legislation.

Well, it was adopted, and since its adoption it has come under the consideration of the Court of Appeals, and that tribunal has decided that it did not require legislation to make it effective, and that it did confer rights upon individual citizens which every court was bound to respect and enforce. It forced the right upon every citizen of the State of New York to have his qualifications for any appointive subordinate office decided by competitive examination with any other man who wishes to be a candidate for that position. (Applause). The only limitation is that the appointing power must say that it was practicable to have a competitive examination.

Now that word "practicable" was the word which the politicians in the Constitutional Convention, and in the campaign which followed it, looked to as the sheet anchor of their hopes. They hoped it would be always possible to have the Civil Service Commission or governor or legislature, to say that competitive examinations were, on the whole, not practicable. The Court of Appeals has destroyed that last lingering hope. It has said that the burden is upon the appointing power in every case to say whether or not it is practicable to have a competitive examination, and that this action of the appointing power, like every other action of an administrative officer, is subject to the review of the courts on a writ of *certiorari*. (Applause).



This is what we accomplished in New York and this you can accomplish in Maryland. (Applause). You can have the fundamental law of the State, which is beyond the reach of the legislature and of the bosses, to say to each man and each aspiring young person in the entire State: You have the right to have your qualifications for State service tested by competition in open examination without fear or favor of any political boss or organization. (Applause). If you are met by the appointing power with the remark that it is not practicable to test you in this way, and if you feel aggrieved, you can go to the courts and the courts will undoubtedly enforce your rights.

Now, gentlemen, we in New York, rightly or wrongly, certainly do consider this a great step in advance for good government; and with reference to the pending amendment in this State, or to the same idea which may be embodied in a proposed amendment in any other State, I would only say from my own brief experience in the campaign before the people, after the Convention had presented this amendment for adoption, in every meeting at which it was my good fortune to argue in favor of our work, I found that the good people, and thinking people, of every community, responded most enthusiastically to the arguments in favor of civil service reform. (Applause).

It is one of the most mistaken impressions, in my opinion, on the part of the so-called practical politicians that can possibly be imagined, that the people at large generally do not care about civil service reform. The only people who do not care about it, who are indifferent to it, are the people to whom it has never been fairly explained. All the others, all that know it, either hate it as the devil hates holy water (laughter) or love it as a patriot loves his country. (Applause). The fight, as I said in the beginning, for better municipal government, for higher politics in this country, is now at its height. It is certainly not won, but on the other hand, it is not lost; and the one motto, the one text which I think we reformers have most need to remember as we go on with the work, is the one that was given at the decisive moment in the battle of Waterloo—and I may be pardoned for quoting it in a State which has produced both a Bonaparte and a Wellington (laughter and applause)—when the British commander at the critical moment said to the victorious troops, "Patience, gentlemen, and forward." (Applause).

THE TOASTMASTER: *Ladies and Gentlemen*: Civil service reform is not only the most essential feature, at least in my very poor opinion, of the work on which we are especially engaged, but it also has a wider scope. Its aim is not merely to improve our municipal government, but to give us in every branch of our public service servants worthy of our work and

able to discharge it. Any great advance, then, in the progress of that great movement must be a matter of no little interest to the members of the Municipal League, and those who sympathize with their aims and purposes. For this reason I will ask a veteran civil service reformer—one of my colleagues for many years on the Executive Committee of the National Civil Service Reform League, to tell us what we ought to think of an event, apparently equally important and gratifying, announced in the papers of to-day. I will ask you to listen to General Aiken, of Norwich, Conn., on the subject of "President Cleveland's Extension of the Rule."

GEN. WILLIAM A. AIKEN: *Mr. President, Ladies and Gentlemen:* The last time I was in this hall was on the occasion of the last annual meeting of the National Civil Service Reform League which took place in this city about three years ago, and on that occasion I was very much torn by conflicting emotions. I did not know which to admire most, the wonderful cuisine of the good landlord of the Rennert and his chef who assisted him in taking such care of us, the extraordinary and delicately-expressed hospitality of our hosts of Baltimore, whose genius in that line is known the country over; the great felicity of the chairman of the evening, whom, I am happy to say, is the same chairman of this evening (applause), or that most wonderful of all the after-dinner speeches ever delivered by that dear friend of ours—now gone—George William Curtis. (Great applause). There are some here who heard that, and those of us whose good fortune it has been to have heard him before were of one mind in saying that his last was indeed his best.

And so, ladies and gentlemen, I must be excused for this digression in the introduction of the subject which has been given to me because the rush of associations which has come over me as I sat here has really taken out of my mind for the moment the consideration of the question it has been given me to speak about.

I am not here among you to-night as the representative of any local militant organization, or as an inhabitant of that little dot on the map of the United States which is called Connecticut and the little town of Norwich, in which there is no organization—the good people there do not seem to think they need it, but I won't discuss that to-night—but I come here as the representative of the National Civil Service Reform League; and I cannot conceive how it is possible for any one who is interested in civil service reform not to be equally interested in municipal reform, nor can I conceive how it is possible for any municipal reformer to be other than heart and soul a civil service reformer. (Applause).

It seems to me that civil service reform surrounds and underlies

municipal reform, and that you have got to take away the temptation to bribery before you can make one single step forward.

Therefore, it seems to me, that every one interested in the subject which you have been discussing must have felt that same thrill which went through me when I read the report which the papers brought us this morning, that the President of the United States, by one stroke, had freed forever from the shackles of the spoil system nearly 30,000 offices. (Applause). Now, I care not by what party name we are known; we may be Republicans, we may be Democrats, but we should indeed be the smallest and meanest of men if we were to withhold the tribute of our warm admiration for so grand a stroke as this. I think that even the most sanguine and hopeful of you hardly yet measure the aid which this is going to give you in your work all over this land. (Applause).

This battle is yet far from being fought out. There yet remain in the national government the fourth-class post offices, which are the very citadel of the spoil system. But they will not remain long and it will be easier to withdraw them from the spoil system in view of what has already been accomplished.

Then there is much to be done in the State and municipal offices; but every single advance in the national service such as that which has been made will help you, so far forth, in your local advance and will make your task far more easy because of this.

So, Mr. President, am I violating the proprieties of this occasion when if I move you to-night, that the President of this Association be the medium of a communication which shall embody the thanks of this League for the steps which have already been taken? (Applause). If not, I will move that the appreciative and grateful thanks of this League be presented to the President of the United States for the noble step which he has taken in extending the area of civil service reform in the United States. (Applause).

THE TOASTMASTER: *Ladies and Gentlemen*: You have heard the motion. We will not too closely scrutinize the credentials of those present as members of the League. Any one can vote for this resolution who thinks that he is a member of the League, on the principle that equity regards that as done which ought to be done. (Laughter and applause). All negative votes will be considered as cast by those not entitled to vote. (Laughter and applause). I will ask all in favor of the resolution to say aye.

The resolution was unanimously adopted.

THE TOASTMASTER: I had expected to call upon a gentleman who, besides other and less distinctions, one of them being the president of the Johns Hopkins University, is First Vice-President of the Civil Service Re-

form Association. I am sorry to say that he has set the terrible example of going home. I mention the fact in order that the unqualified expression of my disapproval may prevent the example from doing any greater harm, as it must otherwise necessarily have done.

Deprived, therefore, of my fellow-citizen, I must ask for consolation from our guests, and I will request my friend, Mr. Hartwell, to administer that consolation which we all need as an offset to the delays and disappointments met with in our work. Mr. Hartwell, of Louisville. (Applause).

MR. FRANK N. HARTWELL: *Mr. Chairman, Ladies and Gentlemen:* In revolving in my mind some reason for the assignment to me upon this occasion of a response to a toast by our worthy host and toastmaster, I have taken refuge behind the thought that there is a common impression abroad in the land that if a man hails from Kentucky he comes armed in one hip pocket with a revolver and in the other hip pocket with a speech. (Laughter and applause). I judge that our worthy host, fearing that in the event that he did not afford an occasion for the infliction of the speech upon the audience, that the revolver might be used upon him, deemed it best to call upon me. (Laughter). I have concluded that in all frankness and candor, due to some representative Kentuckians, to state that in this instance I have come unarmed with either. (Laughter and applause).

Having presided over and participated in many banquets, I have, or should have, a proper appreciation of the patience of such an assemblage, and in any remarks which I may make, or in any consolation which I may offer, I would rather offer it in the form of a string of pearls strung upon a chain of some of my own thoughts.

I will be frank enough to state to you that there was sufficient consideration manifested on the part of the chairman to say that he asked me in due process of time upon what theme I would like to orate, and having had a choice of that selection it may appear a contradiction to the original statement which I made, that I had come unprepared with any speech. I came to Baltimore out of my intense interest in the work undertaken by these heroic men and women. Having presided, during the past week, over a conference of ministers, I felt myself quite exhausted and requiring some sort of rest and recreation, and I sought it in Baltimore. (Laughter and applause).

What I wished to say in particular was this: That all substantial growth is naturally by a slow process. I belong to that class of men who, having put their hands to the plow and encountered the stones and stumps in the field, do not feel inclined to turn backward, although evidence of disgust may manifest itself in some audible expression when the stones and stumps present themselves to the plowshare.

When we learn the important lesson that all things in nature operate upon certain well-defined laws, we shall have learned a great lesson. Whereas, we may enjoy that delicacy of flavor imparted by the mushroom to the tenderloin steak, and when we consider that mushroom is but the growth between the sunset and the sunrise, and when we contrast it with the lusciousness of the peach, which has absorbed the nectar from the sunlight beaming upon it during its weeks of slow and gradual development, when we contrast the delicacy and deliciousness of the asparagus, which as soon as it presents its head to the rising sun is severed from its roots below the surface, with the towering oak from whose trunk is made the mast which supports the sails which carry the commerce of this country across the raging main, we can readily distinguish between the rapidity of growth and development in the one case of the mushroom and asparagus, and in the other case of the peach and the oak. When we consider that in the ideal lies the charm of the real, when we remember that the theory is the precursor of the practice, then have we learned another important lesson. When we consider the vast period of time necessary to produce this mundane sphere upon which we rest and in whose rapid revolutions we participate, when we remember that from those vast regions of space, the stuff from which the stars are made was gradually condensed into a central sun, casting off in due process of time its various belts which in their turn became condensed into planets in succession, until we had, in our own case of the earth, that chaotic mass, incapable of bearing or sustaining life, such as we know it now, then are we prepared to understand that that which is substantial and real requires gradual development and a great time for its growth and production. Notwithstanding the great period of time necessary to produce this earth, in eight lines some one has aptly said—

The fire mist and the planet,  
The crystal and the steel,  
The jelly fish and the saurian,  
And the cave where the cave men dwell.  
Then with songs of love and beauty,  
And the face upturned from the clod,  
Some call it evolution,  
And others call it God.

When men, in the early ages of our time, devoted their time to the contemplation of the life hereafter and overlooked that grand panorama which surrounds us on all hands in the month of May they had not yet learned from nature the fact that upon this earth and at this time is the

time for men's action. Men, by delving in the soil, by searching the mysteries of space, have begun to appreciate the platform upon which they are placed. When we recall that old hymn, "From Greenland's icy mountains," and get down to the words, "Where every prospect pleases and only man is vile," we have approximated very nearly, Mr. Chairman, the point which is occupied by that band of missionaries mentioned by your worthy mayor.

Man, in his attempt to increase the opportunities afforded by our present civilization, is directing his energies to an improvement of the conditions which surround us; and the encouraging feature which presents itself to our mind for reflection is the thought that men, busy with the cares of office; men, busy with their professional duties, are willing to give that sacrifice, that portion of time necessary to promote the welfare of the commonwealth and of the municipality.

It requires sacrifice; it requires patience; but we can have the satisfaction of knowing, if not in our own time and in our own day, in the generations which are to succeed us, that our efforts will not have been in vain when we stop to consider the sacrifice which has been made in all times along the journey of life; when we think—

"Of the picket frozen on duty,  
The mother standing for her brood,  
Socrates drinking the hemlock,  
And Jesus on the rood;  
And on the millions who, humble, nameless,  
The straight hard pathway have trod,  
Some call it consecration,  
And others call it God." (Applause).

THE TOASTMASTER: *Ladies and Gentlemen*: We will now hear from another part of the country as to "The Vital Facts Connected with Municipal Reform in our North-west," and I shall ask Mr. Butler, of Milwaukee, to tell us about that.

MR. JOHN A. BUTLER: I am not responsible for the risk which the toastmaster assumed in calling upon a gentleman so unfitted for extemporaneous speaking as myself. I am responsible, however, for the seriously-worded toast to which I am to respond; but I hasten to inform you that it is serious mainly in its form. I have not the temerity to do much talking in an assembly which is taking a well-earned rest from able discussion and debate. There are those here, however, so gracious, so vivid, so full of the wine of happy thought, that it would be more than presumptuous for me to endeavor to entertain you after all that has been laid before you. I shall,

therefore, endeavor to follow the path of caution and discretion, laying before you briefly two or three points, upon which you will do your own thinking later on, or not, according to your pleasure.

In our experience in the North-west, to which Mr. Bonaparte has been kind enough to refer especially, there have been two or three things which I am very glad to mention. The first of them is the attitude of the professional partisan towards the reform movement, and I cannot do better in trying to speak of that than to refer to the speech of a brilliant and eloquent lawyer in Milwaukee, a very strong partisan indeed, upon whom the light of municipal reform is at last breaking, when he portrayed the whole movement in a certain manner more vividly than I could hope to do, by the following illustration: On a certain occasion, in a meeting which we held in Milwaukee, he said: "Ladies and gentlemen, I am a partisan; I love my party; I love my party almost as well as I love my country; when it comes to a great national contest I feel my bosom swell with pride when I see the party marching off in that great national campaign in behalf of principle; looking at the vast army going to the field of battle with the glitter of its uniforms and with the blare of trumpets and the prancing of steeds; but, gentlemen, when that battle is over and that army wheels about and comes down upon the cities of my native land, with the beggars, vagabonds, sutlers and camp followers in the lead, marching upon the cities of this country, my heart breaks within me. Those men who are in the rear are in the command of the cities of the United States."

And that leads me to the second point. We are encouraged by the fact that the mere party man sees in the non-partisan movement so important an advance. The second fact is vital in the North-west, at least in the cities, that the cities of the United States are the formative schools in politics for the young men of this country—the brothers, the sons, the husbands and the lovers of the women of this country—where those men are formed, politically, to carry out their duties as citizens in the nation itself. Those cities are the vital, arterial centres in the body politic. The municipal question is a greater question than the question of slavery. That concerned at most at that time only one-half of the States, but this question comes close to every fireside in the land and touches the character of every human being in the United States. (Applause).

The hour is so late that, although I am tempted to go on, there is only one minor matter I shall take the liberty of calling your attention to, and my attention was called to it largely by some of the previous speakers.

I have heard it often said that the only way to get good government is to get good men; but I have never been able to get anywhere so far,

what to my humble judgment was an adequate answer, as to the method by which those good men could be had. Now in the city of Milwaukee we have had this experience, that, because in the administrative and executive committees of the Common Council—referring just to that branch of the city government—there were so many opportunities for the demagogue of the ward, and of the city generally, to make money that it has been not only very difficult to keep the demagogue out, but because good men would pay nothing it has been almost absolutely impossible to get a good man in. It, therefore, occurred to us in that city that one of the best possible ways to get bad men out and good men in was to make it unprofitable for bad men to be there; and when the profit should be taken out of it, if it could be taken out of the Common Councils of our city, we felt perfectly certain that you could not drive a demagogue in with forty thousand lashes. (Applause). This state of things exists in our cities. The men who ought to be responsible are not responsible. The men who ought to be executive officers are not executive officers, and the men who ought not to be executive officers and administrative officers are such. Responsibility is scattered almost all over the city government, and one of our efforts, I do not know how it will impress you here, but one of our efforts in the city of Milwaukee will be to take away these executive and administrative powers from the committees of the City Council, which lead to scandal in them, and place them in the hands of the mayor and his department chiefs. (Applause).

In other words, we mean to deal at arm's length with our representatives. We think in that case, that the Common Council, deprived of the opportunity of stealing, will become a place of honor, attractive to the gentleman, (applause) to the man worthy of respect, the man of integrity in our city. They will have no longer the excuse that they are not anything more than a drop of fresh water in a pail of brine. Then they can go in and be useful. (Applause). I don't see but that that position is almost impregnable; and I think in the course of the next year, through the next legislature, we will get a law to bring that about.

I am almost tempted to go on, and in the midst of the temptation I propose to resist it promptly on the spot and stop and thank you for your courtesy in listening to me at all at this late hour of the evening.

THE TOASTMASTER: I am sure that we are all tempted to agree with our friend, Mr. Butler, as to everything he has said, and also to his statement that the hour is late; but notwithstanding its lateness, however, I will call upon my friend, Mr. Woodruff, to tell you some of those things which municipal reformers must remember between times. After you have heard him we will adjourn until 9.30 A. M. to-day. (Laughter and applause).



MR. CLINTON ROGERS WOODRUFF: *Mr. Chairman, Ladies and Gentlemen*: As you have not assigned to me any particular toast I shall take the inalienable liberty which belongs to every American citizen and make my own toast, and I therefore suggest for the closing theme of this most delightful occasion "The New Citizen."

I do not mean by the new citizen necessarily the new woman. A friend of mine said to another friend, "Is your wife quite as strong on the question of the new woman as she once was?" The reply was, "No, not since the new baby has come around." (Laughter). The new citizen may not be the ideal citizen, although he will approach him; for I regret to say since the death of the father of his country there is a tendency to regard the ideal citizen as a personage of the past. It is very much like a convention I heard of some time ago, where the speaker said, "Does any one know of the ideal man?" There was no reply. "Does any one know of the ideal woman?" From the far corner of the room, a meek and patient looking woman arose and said, "I do, but she's dead; she was my husband's first wife." (Laughter and applause).

Mr. Chairman, as I conceive it, the new citizen will love his country; will love it as the mother loves her babe, not for what it is but for what it may be. So the new citizen will love his country not, forsooth, for what it is but because of what it may be. The new citizen will realize that the highest duties of the citizen are not the discharge of the dramatic duties, which require that he shall lay his life upon the altar of liberty; but he will discharge every duty, even though it require the discharge in silence and in the closet like secret prayer.

Neither will the new citizen be like Simon Stylites, who spent his life on the top of a pillar criticising there his brother-man; nor yet the reformer, who retires to his fireside and there descants upon the iniquities of the present state of government. Rather he will mingle among his fellowmen, and by his own character and activity set an example of what a good citizen should do.

I am often reminded when I speak on occasions of this kind of those words of Mazzini, spoken by him fifty years ago, that, while the privileges of our citizenship are great, the duties of the citizen are still greater; and that he is the truest and best citizen who discharges the duties at the same time that he claims the privileges of citizenship.

Neither will the new citizen be a political sportsman. I was interested a few weeks ago in receiving a letter from a far Western correspondent, in which he said: "We have in this community a genus known as the political sportsman, a man who will, from time to time, espouse the cause of

good government for the reason that it gives him a certain amount of amusement and not because he believes in good government, nor because he is an advocate of pure politics ; but because it gives him something to occupy his time." The new citizen's interest in politics will be deep and abiding, and the result of a profound conviction.

I believe that the new citizen will advocate good government, even though, perhaps, it may touch his pocketbook. A Baptist minister, who recently came to Philadelphia, tells a story which will illustrate my point. While sojourning for a time in Virginia he asked whether the folks had had any preaching recently. The neighbors told him they had not been so blessed for some time past. He asked them if they thought that he could preach to the neighbors next Sunday afternoon at three o'clock. His host said: "I have no doubt we will be able to get a congregation for you." So his host bestirred himself and reported that he thought there would be a good congregation for Sunday afternoon. Sunday afternoon came and his host said: "Well, parson, we are going to have a fine congregation for you. It has been very difficult to get it together, but I think it will be a representative gathering, and if you have no objection I wish you would announce at the beginning of your sermon, which will take place, as I understand, at three o'clock, that at four o'clock, upon the adjournment of the sermon, there will be a cock fight." (Laughter).

Now that Virginian was very willing to have the preaching so long as it did not interfere with his cock fight. And I think, Mr. Chairman, that a great many reformers are willing to have reforms so long as they do not interfere with their pocketbooks. So, I believe, that the new citizen will be in favor of reform, whether it touches his own pocketbook or not. He will be interested in reform and everything that tends towards the purity of government even though it may mean decreased dividends and, therefore, decreased income.

I believe that the new citizen will be a reformer irrespective of the badge that he wears. At the present time, I very much regret to say, as the result of some limited experience, that every man who wears a reform button is not necessarily a reformer any more than every man who wears a band on his hat is necessarily a musician. (Laughter).

Some reformers believe, I am led to understand, that reform consists in praising our own country, our own State, our own community. I recall that story that is told in that admirable book on American Political Ideas, by John Fiske. On a Fourth of July in the city of Paris there was a dinner of Americans and one patriotic American called upon for a toast said, "Mr. Chairman, I desire to propose the toast of the United States,

bounded on the north by British Columbia; on the south by the Gulf of Mexico; on the east by the Atlantic Ocean and on the west by the Pacific Ocean." Another American not to be outdone, arose and said, "Mr. Chairman, I think my friend from my native land has been entirely too modest; I propose the toast of the United States, bounded on the north by the north pole; on the south by the south pole; on the east by the rising sun and on the west by the setting sun." (Laughter).

That was not sufficient. Another American at once sprang to his feet, and said: "Mr. Chairman, I, too, propose the toast of the United States, but bounded on the north by the aurora borealis, on the south by the precession of the equinoxes, on the east by the primeval chaos and on the west by the day of judgment." (Laughter). That is an old story, I know, but it is illustrative of current-day patriotism, which, I am sorry to say, largely consists in wringing the lion's tail, and saying, with Captain Hull in 1812, "My country, right or wrong."

My country, I hope, will always be right, but, as I said a few moments ago, I love my country, not for what it is but for what it may be. I love the city of Philadelphia, not for what it is but for what it may be. And I hope, as a result of these Conferences of the National Municipal League, there will come a day when the American municipal government will not be considered, as it is by home and foreign observers, a failure, but will be considered as the model upon which all other cities of every other country will model their government.

And I believe, Mr. Chairman, that the new citizen will be trustworthy because of the trust reposed in him. The best results will be obtained where most trust is reposed. A hundred years ago there was a feeling prevalent in this country that no one man should be given any great amount of power, and there was a transfer of power to boards and councils. It has taken us one hundred years to learn that that government is the best which concentrates power and authority in a single person. So we see all over the United States a movement away from the idea of giving power to councils, away from the idea of giving power to commissions, consisting of from three to five or seven men to that idea, as in Philadelphia and in Cleveland and, as I understand, in a great many other cities where the power and responsibility is lodged in a single executive head.

I have confidence in the outcome of our present effort to improve the municipal condition of our American city. As I said in my report yesterday, I am convinced that the American people can meet every problem which may be presented to a nation. In 1776 the English Government asserted the right to tax without representation. We undertook to solve that problem and did so. We have faced every problem since

that time and solved it, and I believe we will face the problem of municipal government and solve it successfully, and solve it for all time. It may involve the destruction of some of our ideals. It may involve, almost, the destruction of some of our cities; but out of it all will come a new era that will receive the commendation of all.

I cannot better express my hope and confidence than in these words of Browning:

"I found the earth not gray but rosy;  
Heaven not grim but fair of hue.  
Do I stoop, I pluck a posy;  
Do I stand and stare, all's blue."

I thank you for your attention and bid you good night and God speed.  
(Applause).

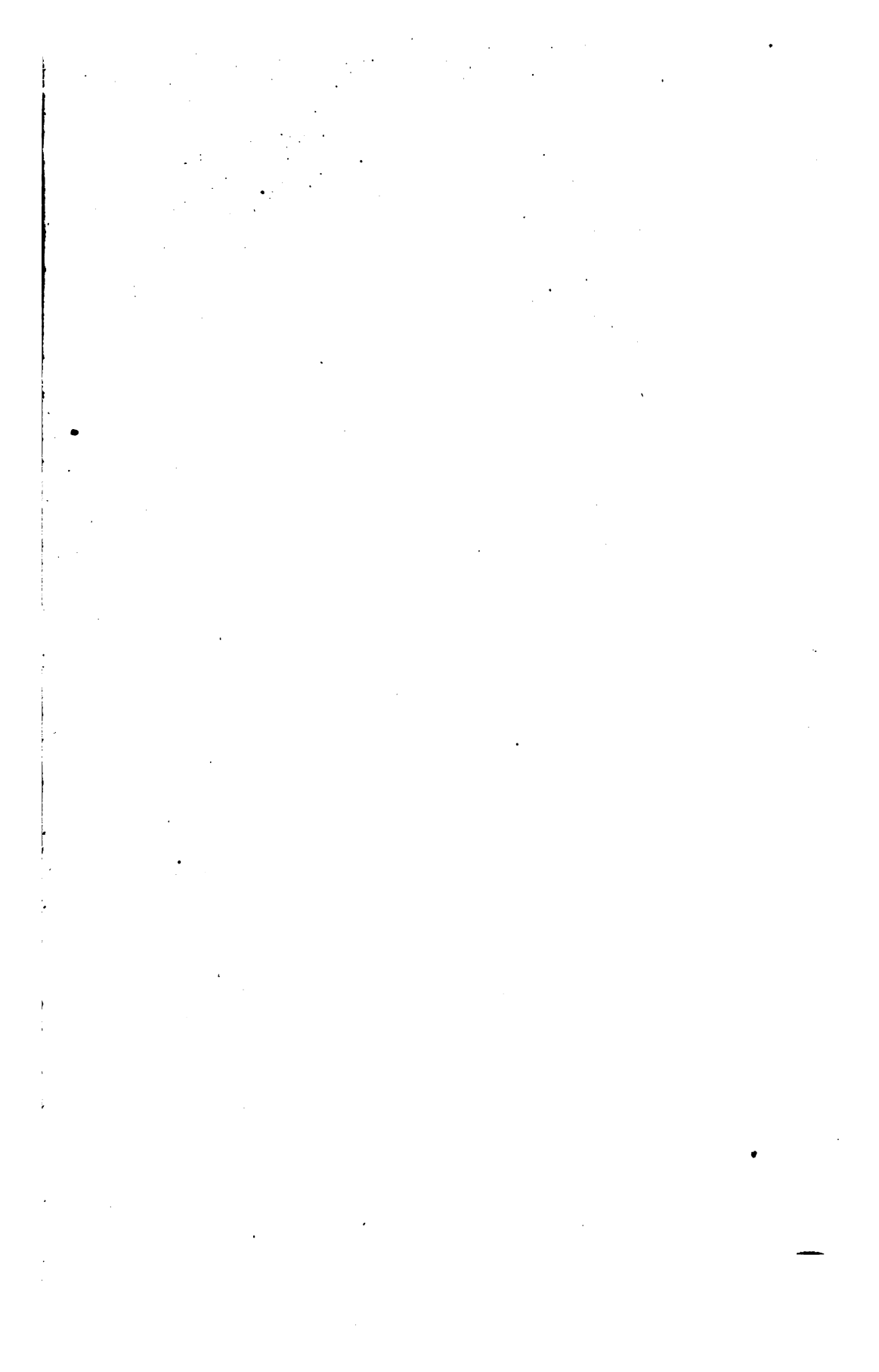
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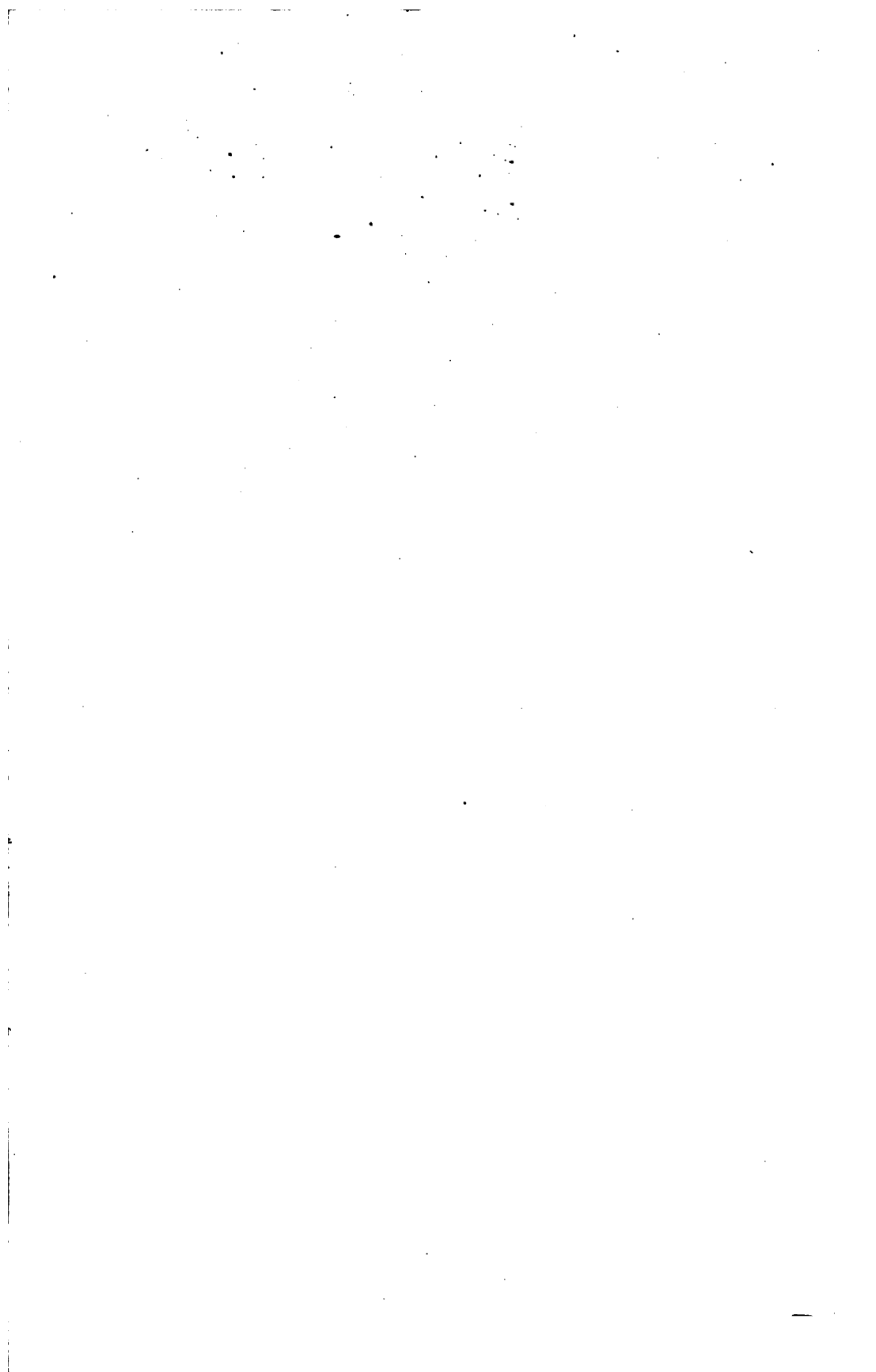
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